

AMENDED IN SENATE APRIL 11, 2005

**SENATE BILL**

**No. 966**

**Introduced by Committee on Local Government (Senators Kehoe  
(Chair), Ackerman, Cox, Machado, McClintock, Soto, and  
Torlakson)**

February 22, 2005

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An act to add Section 19460.5 to the Education Code, to amend Sections ~~24009~~, 8654, 8680, 8680.4, 8680.5, 8682.9, 8685, 8686, 8686.4, 8687, 8687.4, 24009, 26202.1, 66442, ~~66442.5~~, and ~~66452.5~~ of, and 66442.5 of, to amend the heading of Chapter 7.5 (commencing with Section 8680) of Division 1 of Title 2 of, to add Sections 25210.3c and 61226.5 to, to repeal Sections 1228.6 and ~~25841~~, 8680.6, 8686.1, 8686.6, 8690.8, 8691, 8692, 25841, and 50279.4 of, to repeal Article 3.5 (commencing with Section 51939.50) of Chapter 5 of Part 2 of Division 1 of Title 5 of, and to repeal Chapter 3 (commencing with Section 51700) of Part 2 of Division 1 of Title 5 of, the Government Code, to add Sections 5900.11, 6064, 6272, 6860.5, and 7053.5, to the Harbors and Navigation Code, to amend Sections 2043, 2054, 11372.5, and 13868 of, and to add Sections 2853, 4766.5, 6491.5, and 32107 to, the Health and Safety Code, to add Section 1190.5 to the Military and Veterans Code, to amend Section 1463.14 of the Penal Code, to amend Sections 5557.2, 5786.9, 5786.31, 8801, 8802, 8809, 8813, 8815.1, 8815.2, 8815.4, 8819, 9313, and 26582 of, and to add Sections 8813.1, 8813.2, 8813.3, and 8815.5 to, and to add Chapter 3 (commencing with Section 8850), Chapter 4 (commencing with Section 8870), and Chapter 5 (commencing with Section 8890) to Division 8 of, the Public Resources Code, to amend Sections 12772, 16486, and ~~16489~~ of, and 16489, 132352, 170006, 170016, 170018, 170042, 170062, and 170084 of, to add Sections 16044 and ~~22411~~ to, 22411, and 170041 to, and to repeal Sections 170010, 170012, and 170014 of, the Public Utilities Code, and to

amend Section 21403 of, and to add Sections 30525.5, 35307, 40657.5, 50942, 55333.5, 71282, and 74228.5 to, the Water Code, relating to ~~local government~~ *general government*.

## LEGISLATIVE COUNSEL'S DIGEST

SB 966, as amended, Committee on Local Government. Local Government Omnibus Act of ~~2005~~. *2005 and state government*.

(1) Existing law prescribes the procedures for special districts to retain and destroy their old records.

This bill would expressly refer to those procedures in the principal acts of 30 types of special districts.

(2) Existing law authorizes the Calaveras County Board of Supervisors to grant a county sheriff a leave of absence without salary for not to exceed one year for a specified purpose.

This bill would repeal that authorization.

(3) *Existing law authorizes the Governor to take certain actions when the President, at the Governor's request, declares a major disaster to exist in the state and other actions when both the Governor proclaims a state of emergency and the President declares an emergency or major disaster to exist in this state.*

*This bill would authorize the Governor to take certain actions when both the Governor proclaims a state of emergency and the President declares an emergency or major disaster to exist in this state instead of when the President at the Governor's request declares a major disaster to exist in the state.*

(4) *Existing law, the Disaster Assistance defines certain terms for purposes of that act.*

*This bill would delete the definition of street and highway project and public facilities project and would revise the definition of project and project application. The bill would rename the act the California Disaster Assistance Act.*

(5) *The act limits the state share for any eligible project to repair, restore, or replace real property of a local agency used for essential governmental services, including levees, that are damaged or destroyed by a disaster to 75% of total state eligible costs. Notwithstanding this limitation, the act provides that the state share for projects related to the Middle River levee break in San Joaquin County that occurred in June 2004, shall be up to 100% of total state eligible costs. Existing law requires the state to assume the increased*

*share for that levee break if the Federal Emergency Management Agency or another applicable federal agency approves the federal share of costs and requires the state not to make an allocation for a project with respect to that levee break that results in a state share of less than \$2,500.*

*This bill would delete the required contingency related to the approval of the federal share of costs for the Middle River levee break and the \$2,500 minimum allocation. The bill would set the state's share of cost for projects related to the levee break at 100%.*

*(6) Existing law creates within the Disaster Response Emergency Operations Account, the 1987 Higher Education Earthquake Account into which are paid funds for assistance to eligible higher education entities that incurred losses or expenses related to earthquake activity that began on October 1, 1987.*

*This bill would repeal provisions related to the 1987 Higher Education Earthquake Account.*

*(7) Existing law makes available for transfer by the Department of Finance to the State Highway Account in the State Transportation Fund any money in the Street and Highway Account that the Director of the Office of Emergency Services determines is not needed for immediate use for purposes of the Disaster Assistance Act. Existing law authorizes the director to advance to the Department of Transportation from the Street and Highway Account to the State Highway Account in the State Transportation Fund, funds that are necessary to provide for the restoration or repair of local federal aid system highway facilities when those funds are eligible for reimbursement with federal emergency relief funds.*

*This bill would repeal these provisions.*

*(8) This bill would make conforming changes and delete obsolete provisions relating to disaster assistance.*

*(9) Existing law authorizes a county board of supervisors to delegate to a purchasing agent or other appropriate county official the authority to lease real property for use by the county for a term not to exceed 3 years and for a rental not to exceed \$7,500 per month and to amend those leases for improvements or alterations, as specified.*

*This bill would also permit the purchasing agent or other official to obtain the use of real property for the county by license and to extend the term of the lease or license to 5 years. The bill would make other conforming changes.*

(10) Existing statutory law requires that certain county offices are to be elected, in addition to those that the Constitution requires to be elected. Existing law establishes a process by which those offices that are required by statute to be elected may be converted to offices appointed by the board of supervisors.

This bill would explicitly state that those offices required by the California Constitution to be elective may not be made appointive by this process.

~~(4)~~

(11) Existing law contains an authorization for county boards of supervisors to impose a special ad valorem property tax, now made obsolete by the passage of Proposition 13 in 1978, to pay for comfort stations.

This bill would repeal that obsolete provision.

~~(5)~~

(12) Existing law requires that a county board of supervisors retain for at least 5 years records of any unaccepted bid or proposal for the construction or installation of any building, structure, bridge, highway or other public work.

This bill would reduce that period to 2 years.

~~(6)~~

(13) *Existing law states that city representatives to regional coastal zone conservation commissions, which have been repealed, shall be appointed by a city selection commission.*

*This bill would repeal this obsolete provision.*

(14) Existing law, the Joint Exercise of Powers Act authorizes 2 or more public agencies to perform jointly any program each agency is individually authorized to perform. Existing law also provides a procedure for counties and cities to jointly construct public buildings.

This bill would repeal the latter procedure.

~~(7)~~

(15) Existing law contains alternative procedures, enacted in 1973, for local voters to consolidate the County of Sacramento with its incorporated cities if a constitutional amendment on the subject was rejected by the voters. However, the constitutional amendment was approved.

This bill would repeal those alternative procedures.

~~(8)~~

(16) Existing law requires a certificate or statement by the county surveyor for the final map of a subdivision that lies within an

unincorporated area or a certificate or statement by the city engineer or city surveyor if the subdivision lies within a city. Existing law also requires other specified information from that official.

This bill would also require that the final map contain the stamp of the seal of that official.

~~(9)~~

(17) Existing law requires that a final map contain the engineer's or surveyor's statement.

This bill would require that the statement contain a specified declaration regarding the proper placement of survey monuments.

~~(10) Existing law, relating to the local planning commission's approval of the division of property into smaller parcels, requires the appeal of the decision to be heard within 30 days by the appeals board, which may be the city council or county board of supervisors if the city or the county does not have an appeal board.~~

~~This bill would provide that where the city council or the board of supervisors is the appeal board, it does not have to hold a special meeting to hear the appeal if no regular meeting of the legislative body is scheduled within the next 30 days, and that the appeal may be heard at the next regular meeting for which notice can be given.~~

~~(11)~~

(18) Existing law requires that whenever the governing board of a recreation and park district or a mosquito abatement and vector control district levies a special tax, benefit assessment, or a tax to pay for general obligation bonds, it is required to file specified documents with the State Board of Equalization.

*This bill would delete that requirement.*

(19) Existing law requires the deposit of a criminal laboratory analysis fee imposed by the courts upon conviction of specified offenses into a criminalistics laboratories fund maintained by the county treasurer to be used for specified purposes. Existing law requires the county treasurer, at the conclusion of each fiscal year, to determine the amount of any funds remaining in the fund and to distribute the surplus funds pursuant a specified allocation schedule.

This bill instead would require the county auditor to determine the amount of any funds remaining in the fund at the end of the fiscal year.

~~(12)~~

(20) Existing law establishes the California Coordinate System which contains the substantive requirements for surveying.

*This bill would revise various provisions relating to that system to include surveying technologies such as Global Positioning Systems and Geographic Information Systems and would make related changes.*

(21) Existing law grants the Kirkwood Meadows Public Utility District and the June Lake Public Utility District all of the powers of a mosquito abatement district or vector control district.

This bill would correct obsolete references to mosquito abatement districts and vector control districts in those public utility district laws.

(22) Existing law authorizes the consolidated agency consisting of the San Diego Association of Governments, the San Diego Metropolitan Transit Development Board, and the North San Diego County Transit Development Board, to adopt bylaws and other rules.

*This bill would specify the procedures for the publication of ordinances adopted by the board.*

(23) Existing provisions of the San Diego County Regional Airport Authority Act provided for administration of the San Diego County Regional Airport Authority by an interim board with prescribed membership until December 2, 2002.

*This bill would repeal obsolete provisions and make technical changes to provisions pertaining to that interim board.*

(24) Existing law requires the appropriate appointing authority to fill a vacancy on the authority board occurring prior to the expiration of the member's term.

*This bill would make a technical corrective change in the language of this provision.*

(25) Existing open-meeting requirements of the Ralph M. Brown Act are applicable to all local agencies, including the authority.

*This bill would amend the San Diego County Regional Airport Authority Act to explicitly restate the applicability of the Ralph M. Brown Act to the authority.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) This act shall be known and may be cited as  
2 the Local Government Omnibus Act of 2005.

3 (b) The Legislature finds and declares that Californians want  
4 their governments to be funded efficiently and economically and

1 that public officials should avoid waste and duplication whenever  
2 possible. The Legislature further finds and declares that it desires  
3 to control its own costs by reducing the number of separate bills.  
4 Therefore, it is the intent of the Legislature in enacting this act to  
5 combine several minor, noncontroversial statutory changes  
6 relating to local government into a single measure.

7 SEC. 2. Section 19460.5 is added to the Education Code, to  
8 read:

9 19460.5. A district may destroy a record pursuant to Chapter  
10 7 (commencing with Section 60200) of Division 1 of Title 6 of  
11 the Government Code.

12 SEC. 3. Section 1228.6 of the Government Code is repealed.

13 SEC. 3.1. *Section 8654 of the Government Code is amended*  
14 *to read:*

15 8654. (a) Whenever the Governor has proclaimed a state of  
16 emergency and the President has declared an emergency or a  
17 major disaster to exist in this state, the Governor may do any of  
18 the following:

19 (1) Enter into purchases, leases, or other arrangements with  
20 any agency of the United States for temporary housing units to be  
21 occupied by disaster victims and to make those units available to  
22 any political subdivision for that purpose.

23 (2) Assist any political subdivision within which temporary  
24 housing for disaster victims is proposed to be located to acquire  
25 sites necessary for that temporary housing and to do all things  
26 required to prepare those sites to receive and utilize temporary  
27 housing units by advancing or lending any funds available to the  
28 Governor from any appropriation made by the Legislature or  
29 from any other source, by transmitting any funds made available  
30 by any public or private agency, or by acting in cooperation with  
31 the political subdivision for the execution and performance of  
32 any project for temporary housing for disaster victims, and for  
33 those purposes to pledge the credit of the state on terms as the  
34 Governor declares necessary under the circumstances, having  
35 due regard for current financial obligations of the state.

36 (3) Under regulations as the Governor shall make, temporarily  
37 suspend or modify for not to exceed 60 days any public health,  
38 safety, zoning, or intrastate transportation law, ordinance, or  
39 regulation when by proclamation he or she declares ~~such~~ *the*

1 suspension or modification essential to provide temporary  
2 housing for disaster victims.

3 ~~(b) Whenever, the President, at the request of the Governor,~~  
4 ~~has declared a major disaster to exist in this state, the Governor~~  
5 ~~may do any of the following:~~

6 ~~(1)–~~

7 (4) Upon his or her determination that financial assistance is  
8 essential to meet disaster-related necessary expenses or serious  
9 needs of individuals or ~~families~~ *households* adversely affected by  
10 a *Presidential declaration of a major disaster or emergency* that  
11 cannot be otherwise adequately met from other means of  
12 assistance, ~~accept any grant~~ *assistance in the form of grants* by  
13 the federal government to fund that financial assistance, subject  
14 to those terms and conditions as may be imposed upon the grant.

15 ~~(2)–~~

16 (5) Enter into an agreement with the federal government, or  
17 any officer or agency thereof, pledging the state to participate in  
18 the funding of any grant accepted pursuant to paragraph (1), in an  
19 amount not to exceed 25 percent thereof, and, if state funds are  
20 not otherwise available to the Governor, accept an advance of the  
21 state share from the federal government to be repaid when the  
22 state is able to do so.

23 ~~(3)–~~

24 (6) Notwithstanding any other provision of law, make  
25 financial grants *available* to meet disaster-related necessary  
26 expenses or serious needs of individuals or ~~families~~ *households*  
27 adversely affected by a *Presidential declaration of a major*  
28 ~~disaster which cannot otherwise adequately be met from other~~  
29 ~~means of assistance, which shall not exceed ten thousand dollars~~  
30 ~~(\$10,000) in the aggregate to an individual or family in any~~  
31 ~~single major disaster declared by the President. This ten thousand~~  
32 ~~dollar (\$10,000) limit shall be adjusted annually to reflect~~  
33 ~~changes in the Consumer Price Index for all Urban Consumers~~  
34 ~~published by the Department of Labor in the same manner as the~~  
35 ~~Federal Emergency Management Administration makes similar~~  
36 ~~adjustments for purposes of or emergency in accordance with the~~  
37 ~~Robert T. Stafford Disaster Relief and Emergency Assistance Act~~  
38 ~~and Sections 13600 and 13601 of the Welfare and Institutions~~  
39 ~~Code.~~

40 ~~(4)–~~



1     ***(b) Whenever the President at the request of the Governor***  
2     ***declares a major disaster to exist in this state, the Governor may***  
3     ***do any of the following:***

4     ***(1) Upon his or her determination that a local government will***  
5     ***suffer a substantial loss of tax and other revenues from a major***  
6     ***disaster and has demonstrated a need for financial assistance to***  
7     ***perform its governmental functions, apply to the federal***  
8     ***government, on behalf of the local government, for a loan, and***  
9     ***receive and disburse the proceeds of that loan to the local***  
10    ***government.***

11    ~~***(5)–***~~  
12    ***(2) Determine the amount needed by a local government to***  
13    ***restore or resume its governmental functions, and certify that***  
14    ***amount to the federal government. However, that amount shall***  
15    ***not exceed 25 percent of the annual operating budget of the local***  
16    ***government for the fiscal year in which the major disaster has***  
17    ***occurred.***

18    ~~***(6)–***~~  
19    ***(3) Recommend to the federal government, after reviewing***  
20    ***the matter, the cancellation of all or any part of a loan made***  
21    ***pursuant to paragraph-(5) (2) when during the period of three full***  
22    ***fiscal years immediately following the major disaster, the***  
23    ***revenues of the local government are insufficient to meet its***  
24    ***operating expenses, including disaster-related expenses incurred***  
25    ***by the local government.***

26    ***(c) The Governor shall make those regulations as are***  
27    ***necessary in carrying out the purposes of paragraphs-(1), (2), and***  
28    ~~***(3) of subdivision-(b) (4), (5), and (6) of subdivision (a),***~~  
29    ***including, but not limited to: standards of eligibility for persons***  
30    ***applying for benefits; procedures for application and***  
31    ***administration; methods of investigation, processing, and***  
32    ***approving applications; formation of local or statewide review***  
33    ***boards to pass upon applications; and procedures for appeals.***

34    ***(d) Any political subdivision is expressly authorized to***  
35    ***acquire, temporarily or permanently, by purchase, lease, or***  
36    ***otherwise, sites required for installation of temporary housing***  
37    ***units for disaster victims, and to enter into whatever***  
38    ***arrangements (including purchase of temporary housing units and***  
39    ***payment of transportation charges)–which are necessary to***  
40    ***prepare or equip the sites to utilize the housing units.***

(e) Any person who fraudulently makes any misstatement of fact in connection with an application for financial assistance under this section shall, upon conviction of each offense, be guilty of a misdemeanor punishable by a fine of not more than five thousand dollars (\$5,000), or imprisonment for not more than one year, or both.

(f) The terms “major disaster,” “emergency,” and “temporary housing,” as used in this section, shall have the same meaning as those terms are defined or used in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288, as amended by P.L. 100-707). It is the intent of the Legislature in enacting this section that it shall be liberally construed to effectuate the purposes of that federal act.

*SEC. 3.2. The heading of Chapter 7.5 (commencing with Section 8680) of Division 1 of Title 2 of the Government Code is amended to read:*

CHAPTER 7.5. CALIFORNIA DISASTER ASSISTANCE ACT

*SEC. 3.3. Section 8680 of the Government Code is amended to read:*

8680. This chapter shall be known and may be cited as the California Disaster Assistance Act.

*SEC. 3.4. Section 8680.4 of the Government Code is amended to read:*

8680.4. “Project” means the repair or restoration, or both, other than normal maintenance, or the replacement of, real property of a local agency used for essential governmental services, including, but not limited to, buildings, levees, flood control works, channels, irrigation works, ~~city~~ streets, ~~county~~ roads, bridges, *highways*, and other public works, that are damaged or destroyed by a disaster. “Project” also includes those activities and expenses allowed under subdivisions (a), (c), (d), and (e) of Section 8685. Except as provided in Section 8686.3, the completion of all or part of a project prior to application for funds pursuant to this chapter shall not disqualify the project or any part thereof.

*SEC. 3.5. Section 8680.5 of the Government Code is amended to read:*

1 8680.5. "Project application" means the written application  
2 made by a local agency to the director for state financial  
3 assistance, which shall include ~~any of the following:~~

4 ~~(a) In the case of a public facilities project, all damage to~~  
5 ~~public real property that resulted from a disaster within the total~~  
6 ~~jurisdiction of the local agency making application.~~

7 ~~(b) In the case of a street and highway project, all damage to~~  
8 ~~streets and highways that resulted from a disaster within the total~~  
9 ~~jurisdiction of the local agency making application.~~

10 ~~(c) Other and other activities and expenses as allowed in~~  
11 ~~Section 8685.~~

12 *SEC. 3.6. Section 8680.6 of the Government Code is*  
13 *repealed.*

14 ~~8680.6. (a) "Street and highway project" means a project for~~  
15 ~~the repair or restoration, or both, or the replacement of streets,~~  
16 ~~roads, or bridges of a city or county.~~

17 ~~(b) "Public facilities project" means any project, other than a~~  
18 ~~street and highway project. District roads and similar access~~  
19 ~~facilities not eligible for gas tax apportionments shall be~~  
20 ~~considered "public facilities."~~

21 *SEC. 3.7. Section 8682.9 of the Government Code is amended*  
22 *to read:*

23 8682.9. The director shall adopt regulations, *as necessary*, to  
24 govern the administration of the disaster assistance program  
25 authorized by this chapter in accordance with the Administrative  
26 Procedure Act (Chapter 3.5 (commencing with Section 11340) of  
27 Part 1 of Division 3). These regulations shall include specific  
28 project eligibility requirements, a procedure for local  
29 governments to request the implementation of programs under  
30 this chapter, and a method for evaluating these requests by the  
31 Office of Emergency Services. ~~Interim regulations required by~~  
32 ~~this section shall be adopted by December 1, 1989, and final~~  
33 ~~regulations shall be adopted by October 1, 1990, provided that~~  
34 ~~neither the interim nor final regulations shall be subject to review~~  
35 ~~or approval of the Office of Administrative Law.~~

36 *SEC. 3.8. Section 8685 of the Government Code is amended*  
37 *to read:*

38 8685. From any moneys appropriated for that purpose, and  
39 subject to the conditions specified in this article, the director shall  
40 allocate funds to meet the cost of any one or more projects as

1 defined in Section 8680.4. Applications by school districts shall  
2 be submitted to the Superintendent of Public Instruction for  
3 review and approval, in accordance with instructions or  
4 regulations developed by the Office of Emergency Services, prior  
5 to the allocation of funds by the director.

6 Moneys appropriated for the purposes of this chapter may be  
7 used to provide financial assistance for the following local  
8 agency and state costs:

9 (a) Local agency personnel costs, equipment costs, and the  
10 cost of supplies and materials used during disaster response  
11 activities, incurred as a result of a state of emergency proclaimed  
12 by the Governor, excluding the normal hourly wage costs of  
13 employees engaged in emergency work activities.

14 (b) To repair, restore, reconstruct, or replace facilities  
15 belonging to local agencies damaged as a result of disasters as  
16 defined in Section 8680.3. Mitigation measures performed  
17 pursuant to subdivision (b) of Section 8686.4 shall qualify for  
18 funding pursuant to this chapter.

19 (c) Matching fund assistance for cost sharing required under  
20 federal ~~public~~ *disaster* assistance programs, as otherwise eligible  
21 under this act.

22 (d) Indirect administrative costs and any other assistance  
23 deemed necessary by the director.

24 (e) Necessary and required site preparation costs for  
25 mobilehomes, travel trailers, and other manufactured housing  
26 units provided ~~by the federal temporary housing assistance~~  
27 ~~program~~ and operated by the Federal Emergency Management  
28 Agency.

29 *SEC. 3.9. Section 8686 of the Government Code is amended*  
30 *to read:*

31 8686. (a) For any eligible project, the state share shall  
32 amount to no more than 75 percent of total state eligible costs.

33 (b) Notwithstanding subdivision (a), the state share shall be up  
34 to 100 percent of total state eligible costs connected with the  
35 following events:

36 (1) The October 17, 1989, Loma Prieta earthquake.

37 (2) The October 20, 1991, East Bay fire.

38 (3) The fires that occurred in southern California from October  
39 1, 1993, to November 30, 1993, inclusive.

40 (4) The January 17, 1994, Northridge earthquake.

1 (5) Storms that occurred in California during the periods  
2 commencing January 3, 1995, and February 13, 1995, as  
3 specified in agreements between this state and the United States  
4 for federal financial assistance.

5 (6) The storms that occurred in California in December of  
6 1996 and early January of 1997, as specified in agreements  
7 between this state and the United States for federal financial  
8 assistance.

9 (7) The winter storms and flooding that occurred from  
10 February 1, 1998, to April 30, 1998, inclusive, as specified in  
11 agreements between this state and the United States for federal  
12 financial assistance.

13 (8) The wildfires that occurred in southern California  
14 commencing October 21, 2003, as specified in agreements  
15 between this state and the United States for federal financial  
16 assistance.

17 (9) The December 22, 2003, San Simeon earthquake, as  
18 specified in agreements between this state and the United States  
19 for federal financial assistance.

20 (10) *The Middle River levee break in San Joaquin County that*  
21 *occurred in June 2004.*

22 (c) For any federally declared disaster subsequent to January  
23 1, 1995, that the Legislature has designated in subdivision (b),  
24 the state shall assume the increased share specified in subdivision  
25 (b) in those cases where the Federal Emergency Management  
26 Agency or another applicable federal agency has approved the  
27 federal share of costs.

28 (d) The state shall make no allocation for any project  
29 application resulting in a state share of less than two thousand  
30 five hundred dollars (\$2,500) under this section.

31 *SEC. 3.10. Section 8686.1 of the Government Code is*  
32 *repealed.*

33 ~~8686.1. (a) Notwithstanding subdivision (a) of Section 8686,~~  
34 ~~the state share shall be up to 100 percent of total state eligible~~  
35 ~~costs connected with the Middle River levee break in San~~  
36 ~~Joaquin County that occurred in June 2004.~~

37 ~~(b) For the disaster that the Legislature has designated in~~  
38 ~~subdivision (a), the state shall assume the increased share~~  
39 ~~specified in subdivision (a) if the Federal Emergency~~

1 ~~Management Agency or another applicable federal agency has~~  
2 ~~approved the federal share of costs.~~

3 ~~(e) The state shall make no allocation for any project~~  
4 ~~application resulting in a state share of less than two thousand~~  
5 ~~five hundred dollars (\$2,500) under this section.~~

6 *SEC. 3.11. Section 8686.4 of the Government Code is*  
7 *amended to read:*

8 8686.4. (a) Whenever the local agency and the director  
9 determine for ~~public facility~~ projects that the general public and  
10 state interest will be better served by replacing a damaged or  
11 destroyed facility with a facility that will more adequately serve  
12 the present and future public needs than would be accomplished  
13 merely by repairing or restoring the damaged or destroyed  
14 facility, the director shall authorize the replacement, including, in  
15 the case of a public building, an increase in the square footage of  
16 the building replaced, but the cost of the betterment of the  
17 facility, to the extent that it exceeds the cost of repairing or  
18 restoring the damaged or destroyed facility, shall be borne and  
19 contributed by the local agency, and the excess cost shall be  
20 excluded in determining the amount to be allocated by the state.  
21 The state contribution shall not exceed the net cost of restoring  
22 each facility on the basis of the design of the facility as it existed  
23 immediately prior to the disaster in conformity with current  
24 codes, specifications, and standards.

25 (b) Notwithstanding subdivision (a), when the director  
26 determines there are mitigation measures that are cost-effective  
27 and that substantially reduce the risk of future damage, hardship,  
28 loss, or suffering in any area where a state of emergency has been  
29 proclaimed by the Governor, the director may authorize the  
30 implementation of those measures.

31 *SEC. 3.12. Section 8686.6 of the Government Code is*  
32 *repealed.*

33 ~~8686.6. Money allocated to a local agency for a street and~~  
34 ~~highway project may, when recommended by the Department of~~  
35 ~~Transportation, be used for the purpose of repairing, restoring, or~~  
36 ~~replacing local streets, roads, or bridges to present-day standards~~  
37 ~~and to accommodate present traffic.~~

38 *SEC. 3.13. Section 8687 of the Government Code is amended*  
39 *to read:*

8687. Deferred payments made by a local agency pursuant to Section 8686.8 shall be made by the agency:

(a) Out of the current revenues of the local agency.

(b) If the current revenues of a city, county, or city and county, prove insufficient to enable the agency to meet the payments, the director may order the State Controller to withhold from the local agency funds that the local agency would be entitled from the state, including, as to street and highway projects *as defined by Sections 590 and 592 of the Vehicle Code*, from the Motor Vehicle License Fee Fund to the extent necessary to meet the deficiency.

Those sums shall be credited to the funds in the State Treasury from which the loans were made.

*SEC. 3.14. Section 8687.4 of the Government Code is amended to read:*

8687.4. Whenever the director determines that a local agency which would otherwise be eligible for funds under the formula of Section 8686 is unable to finance a ~~street and highway~~ project due to exhaustion of its financial resources because of disaster expenditures, the director may allocate funds to pay such portion of the cost of the project as the director determines is necessary to accomplish the projects.

*SEC. 3.15. Section 8690.8 of the Government Code is repealed.*

~~8690.8. (a) There is hereby created, within the Disaster Response-Emergency Operations Account, the 1987 Higher Education Earthquake Account, into which shall be paid all moneys allocated pursuant to Section 8690.6 for assistance to eligible higher education entities that incurred losses or expenses related to earthquake activity that began on October 1, 1987. For purposes of this section, an "eligible higher education entity" means any campus of the California State University or of any community college district that is located within the disaster area proclaimed by the Governor, as a result of the October 1, 1987, earthquake and aftershocks. Moneys appropriated to the 1987 Higher Education Earthquake Account shall be used for the following purposes:~~

~~(1) To reimburse eligible higher education entities for personnel overtime costs and for supplies used for disaster~~

1 assistance programs, including the cost of administering these  
2 assistance programs.

3 (2) To provide for the repair, cleanup, and reconstruction of  
4 damaged public facilities.

5 (3) To provide matching funds required under federal disaster  
6 assistance programs.

7 (4) Funds up to five hundred thousand dollars (\$500,000) from  
8 the amount allocated to the account may be used for the purposes  
9 described in Section 8683 and also to provide administrative  
10 support required for the rapid and effective implementation of the  
11 disaster assistance program authorized by this subdivision.

12 (5) To provide other assistance as the director deems  
13 necessary to carry out this section.

14 (b) In order to qualify for funding under this section, the  
15 California State University and any eligible community college  
16 district shall undertake to utilize maximum federal participation  
17 in funding projects, and no funds allocated under this section  
18 shall be used to supplant federal funds otherwise available in the  
19 absence of state financial relief.

20 (c) The Office of Emergency Services shall establish standards  
21 and instructions for the receipt of applications from, and the  
22 processing of claims by, eligible higher education entities within  
23 30 days of the operative date of this section, as added by the  
24 1987-88 First Extraordinary Session of the Legislature.  
25 Notwithstanding Chapter 3.5 (commencing with Section 11340)  
26 of Part 1 of Division 3 of Title 2, these standards, if promulgated,  
27 shall not be subject to the review and approval of the Office of  
28 Administrative Law.

29 (d) Under the standards and procedures to be prescribed by the  
30 Office of Emergency Services, a higher education entity may  
31 receive an advance of funds for approved costs. These advances  
32 shall not exceed 90 percent of the amount approved for allocation  
33 to the eligible local agency.

34 (e) Funds provided pursuant to the requirement of this section  
35 may be audited by the Controller.

36 (f) Any unused funds shall revert to the Disaster  
37 Response-Emergency Operations Account.

38 *SEC. 3.16. Section 8691 of the Government Code is repealed.*

39 8691. Any money in the Street and Highway Account which  
40 the director determines is not needed for immediate use for the



~~purposes otherwise specified in this chapter shall be available for transfer by the Department of Finance to the State Highway Account in the State Transportation Fund for allocation and expenditure for construction of state highways, but any amount so transferred shall, after receipt by the Department of Transportation of written demand from the Department of Finance, be returned from the State Highway Account in the State Transportation Fund to the Street and Highway Account upon determination by the Department of Finance of the necessity of such money for the purposes of this chapter within a period of not to exceed three months in such installments as may be agreed upon by the Department of Finance and the Department of Transportation.~~

*SEC. 3.17. Section 8692 of the Government Code is repealed.*

~~8692. The director may advance to the Department of Transportation from the Street and Highway Account to the State Highway Account in the State Transportation Fund such funds as are necessary to provide for the restoration or repair of local federal-aid system highway facilities, when such funds are eligible for reimbursement with emergency relief funds under Title 23, United States Code, Section 125. Upon receipt of reimbursement from the federal government, the Department of Transportation shall repay all such funds to the Street and Highway Account.~~

SEC. 4. Section 24009 of the Government Code is amended to read:

24009. (a) Except as provided in subdivision (b), the county officers to be elected by the people are the treasurer, county clerk, auditor, sheriff, tax collector, district attorney, recorder, assessor, public administrator, and coroner.

(b) Except for those officers named in subdivision (b) of Section 1 of Article XI of the California Constitution, any county office that is required to be elective may become an appointive office pursuant to this subdivision. In order to change an office from elective to appointive, a proposal shall be presented to the voters of the county and approved by a majority of the votes cast on the proposition. A proposal shall be submitted to the voters by the county board of supervisors or it may be submitted to the voters pursuant to the qualification of an initiative petition as provided in Chapter 2 (commencing with Section 9100) of

1 Division 9 of the Elections Code. Any county office changed  
2 from elective to appointive in accordance with this subdivision  
3 may be changed back from appointive to elective in the same  
4 manner.

5 SEC. 5. Section 25210.3c is added to the Government Code,  
6 to read:

7 25210.3c. A county service area may destroy a record  
8 pursuant to Chapter 7 (commencing with Section 60200) of  
9 Division 1 of Title 6.

10 SEC. 6. Section 25841 of the Government Code is repealed.

11 SEC. 7. Section 26202.1 of the Government Code is amended  
12 to read:

13 26202.1. The board may authorize the destruction or  
14 disposition of any unaccepted bid or proposal for the construction  
15 or installation of any building, structure, bridge, or highway or  
16 other public works which is more than two years old.

17 *SEC. 7.5. Section 50279.4 of the Government Code is*  
18 *repealed.*

19 ~~50279.4. Notwithstanding any other provision of this article,~~  
20 ~~in any county in which city representatives are required to be~~  
21 ~~appointed by a city selection committee to a regional coastal~~  
22 ~~zone conservation commission pursuant to Division 18~~  
23 ~~(commencing with Section 27000) of the Public Resources Code,~~  
24 ~~the city selection committee created in such county pursuant to~~  
25 ~~this article shall make such appointments. Each such city~~  
26 ~~selection committee shall hold an organizational meeting for~~  
27 ~~such purposes prior to December 31, 1972.~~

28 SEC. 8. Chapter 3 (commencing with Section 51700) of Part  
29 2 of Division 1 of Title 5 of the Government Code is repealed.

30 SEC. 9. Article 3.5 (commencing with Section 51939.50) of  
31 Chapter 5 of Part 2 of Division 1 of Title 5 of the Government  
32 Code is repealed.

33 SEC. 10. Section 61226.5 is added to the Government Code,  
34 to read:

35 61226.5. A district may destroy a record pursuant to Chapter  
36 7 (commencing with Section 60200) of Division 1 of Title 6.

37 SEC. 11. Section 66442 of the Government Code is amended  
38 to read:

39 66442. (a) If a subdivision for which a final map is required  
40 lies within an unincorporated area, a certificate or statement by

1 the county surveyor is required. If a subdivision lies within a city,  
2 a certificate or statement by the city engineer or city surveyor is  
3 required. The appropriate official shall sign, date, and, below or  
4 immediately adjacent to the signature, indicate his or her  
5 registration or license number with expiration date and the stamp  
6 of his or her seal, state that:

7 (1) He or she has examined the map.

8 (2) The subdivision as shown is substantially the same as it  
9 appeared on the tentative map, and any approved alterations  
10 thereof.

11 (3) All provisions of this chapter and of any local ordinances  
12 applicable at the time of approval of the tentative map have been  
13 complied with.

14 (4) He or she is satisfied that the map is technically correct.

15 (b) City or county engineers registered as civil engineers after  
16 January 1, 1982, shall only be qualified to certify the statements  
17 of paragraphs (1), (2), and (3) of subdivision (a). The statement  
18 specified in paragraph (4) shall only be certified by a person  
19 authorized to practice land surveying pursuant to the Professional  
20 Land Surveyors' Act (Chapter 15 (commencing with Section  
21 8700) of Division 3 of the Business and Professions Code) or a  
22 person registered as a civil engineer prior to January 1, 1982,  
23 pursuant to the Professional Engineers' Act (Chapter 7  
24 (commencing with Section 6700) of Division 3 of the Business  
25 and Professions Code). The county surveyor, the city surveyor,  
26 or the city engineer, as the case may be, or other public official or  
27 employee qualified and authorized to perform the functions of  
28 one of those officials, shall complete and file with his or her  
29 legislative body his or her certificate or statement, as required by  
30 this section, within 20 days from the time the final map is  
31 submitted to him or her by the subdivider for approval.

32 SEC. 12. Section 66442.5 of the Government Code is  
33 amended to read:

34 66442.5. The following statements shall appear on a final  
35 map:

36 (a) Engineer's (surveyor's) statement:

37 This map was prepared by me or under my direction and is  
38 based upon a field survey in conformance with the requirements  
39 of the Subdivision Map Act and local ordinance at the request of  
40 (name of person authorizing map) on (date). I hereby state that

1 all the monuments are of the character and occupy the positions  
2 indicated or that they will be set in those positions before (date),  
3 and that the monuments are, or will be, sufficient to enable the  
4 survey to be retraced, and that this final map substantially  
5 conforms to the conditionally approved tentative map.

6  
7 (Signed) \_\_\_\_\_  
8 R.C.E. (or L.S.) No. \_\_\_\_\_  
9

10  
11 (b) Recorder's certificate or statement.  
12 Filed this \_\_\_\_ day of \_\_\_\_, 20\_\_, at \_\_\_\_ m. in Book \_\_\_\_ of  
13 \_\_\_\_, at page \_\_\_\_, at the request of \_\_\_\_.

14  
15 Signed \_\_\_\_\_  
16 County Recorder  
17

18 ~~SEC. 13. Section 66452.5 of the Government Code is~~  
19 ~~amended to read:~~

20 ~~66452.5. (a) The subdivider, or any tenant of the subject~~  
21 ~~property, in the case of a proposed conversion of residential real~~  
22 ~~property to a condominium project, community apartment~~  
23 ~~project, or stock cooperative project, may appeal from any action~~  
24 ~~of the advisory agency with respect to a tentative map to the~~  
25 ~~appeal board established by local ordinance or, if none, to the~~  
26 ~~legislative body.~~

27 ~~The appeal shall be filed with the clerk of the appeal board, or~~  
28 ~~if there is none, with the clerk of the legislative body within 10~~  
29 ~~days after the action of the advisory agency from which the~~  
30 ~~appeal is being taken.~~

31 ~~Upon the filing of an appeal, the appeal board or legislative~~  
32 ~~body shall set the matter for hearing. The hearing shall be held~~  
33 ~~within 30 days after the date of filing the appeal. If, on the date~~  
34 ~~of filing the appeal, there is no regular meeting of the legislative~~  
35 ~~body within the 30 days for which notice can be given pursuant~~  
36 ~~to Section 66451.3, the appeal may be heard at the next regular~~  
37 ~~meeting for which notice can be given. No special meeting need~~  
38 ~~be held solely because there is no regular meeting within the 30~~  
39 ~~days for which notice of the appeal can be given. Within 10 days~~

1 following the conclusion of the hearing, the appeal board or  
2 legislative body shall render its decision on the appeal.

3 (b) The subdivider, any tenant of the subject property, in the  
4 case of a conversion of residential real property to a  
5 condominium project, community apartment project, or stock  
6 cooperative project, or the advisory agency may appeal from the  
7 action of the appeal board to the legislative body. The appeal  
8 shall be filed in writing with the clerk of the legislative body  
9 within 10 days after the action of the appeal board from which  
10 the appeal is being taken.

11 After the filing of an appeal, the legislative body shall set the  
12 matter for hearing. The hearing shall be held within 30 days after  
13 the date of a request therefor filed by the subdivider or the  
14 appellant. If, on the date of filing the appeal, there is no regular  
15 meeting of the legislative body within the 30 days for which  
16 notice can be given pursuant to Section 66451.3, the appeal may  
17 be heard at the next regular meeting for which notice can be  
18 given. No special meeting need be held solely because there is no  
19 regular meeting within the 30 days for which notice of the appeal  
20 can be given. Within 10 days following the conclusion of the  
21 hearing, the legislative body shall render its decision on the  
22 appeal. The decision shall comply with the provisions of Sections  
23 66473, 66473.5, and 66474, and shall include any findings  
24 required by those sections.

25 (c) If there is an appeal board and it fails to act upon an appeal  
26 within the time limit specified in this chapter, the decision from  
27 which the appeal was taken shall be deemed affirmed and an  
28 appeal therefrom may thereupon be taken to the legislative body  
29 as provided in subdivision (b) of this section. If no further appeal  
30 is taken, the tentative map, insofar as it complies with applicable  
31 requirements of this division and local ordinance, shall be  
32 deemed approved or conditionally approved as last approved or  
33 conditionally approved by the advisory agency, and it shall be the  
34 duty of the clerk of the legislative body to certify or state that  
35 approval, or if the advisory agency is one which is not authorized  
36 by local ordinance to approve, conditionally approve, or  
37 disapprove the tentative map, the advisory agency shall submit  
38 its report to the legislative body as if no appeal had been taken.

39 If the legislative body fails to act upon an appeal within the  
40 time limit specified in this chapter, the tentative map, insofar as it

1 complies with applicable requirements of this division and local  
2 ordinance, shall be deemed to be approved or conditionally  
3 approved as last approved or conditionally approved, and it shall  
4 be the duty of the clerk of the legislative body to certify or state  
5 that approval.

6 (d) Any interested person adversely affected by a decision of  
7 the advisory agency or appeal board may file an appeal with the  
8 legislative body concerning any decision of the advisory agency  
9 or appeal board. The appeal shall be filed with the clerk of the  
10 legislative body within 10 days after the action of the advisory  
11 agency or appeal board which is the subject of the appeal. Upon  
12 the filing of the appeal, the legislative body shall set the matter  
13 for hearing. The hearing shall be held within 30 days after the  
14 filing of the appeal. If, on the date of filing the appeal, there is no  
15 regular meeting of the legislative body within the 30 days for  
16 which notice can be given pursuant to Section 66451.3, the  
17 appeal may be heard at the next regular meeting for which notice  
18 can be given. No special meeting need be held solely because  
19 there is no regular meeting within the 30 days for which notice of  
20 the appeal can be given. The hearing may be a public hearing for  
21 which notice shall be given in the time and manner provided.

22 Upon conclusion of the hearing, the legislative body shall,  
23 within 10 days, declare its findings based upon the testimony and  
24 documents produced before it or before the advisory board or the  
25 appeal board. The legislative body may sustain, modify, reject, or  
26 overrule any recommendations or rulings of the advisory board  
27 or the appeal board and may make any findings which are not  
28 inconsistent with the provisions of this chapter or local ordinance  
29 adopted pursuant to this chapter.

30 (e) Notice of each hearing provided for in this section shall be  
31 sent by United States mail to each tenant of the subject property,  
32 in the case of a conversion of residential real property to a  
33 condominium project, community apartment project, or stock  
34 cooperative project, at least three days prior to the hearing. The  
35 notice requirement of this subdivision shall be deemed satisfied if  
36 the notice complies with the legal requirements for service by  
37 mail. Pursuant to Section 66451.2, fees may be collected from  
38 the subdivider or from persons appealing or filing an appeal for  
39 expenses incurred under this section.

~~SEC. 14.~~

*SEC. 13.* Section 5900.11 is added to the Harbors and Navigation Code, to read:

5900.11. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

~~SEC. 15.~~

*SEC. 14.* Section 6064 is added to the Harbors and Navigation Code, to read:

6064. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

~~SEC. 16.~~

*SEC. 15.* Section 6272 is added to the Harbors and Navigation Code, to read:

6272. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

~~SEC. 17.~~

*SEC. 16.* Section 6860.5 is added to the Harbors and Navigation Code, to read:

6860.5. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

~~SEC. 18.~~

*SEC. 17.* Section 7053.5 is added to the Harbors and Navigation Code, to read:

7053.5. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

~~SEC. 19.~~

*SEC. 18.* Section 2043 of the Health and Safety Code is amended to read:

2043. (a) A district shall have perpetual succession.

(b) A board of trustees may, by a two-thirds vote of its total membership, adopt a resolution to change the name of the district. The name shall contain the words “mosquito abatement district,” “vector control district,” “mosquito and vector control district,” “mosquito control district,” or “vector management district.” The resolution shall comply with the requirements of

Chapter 23 (commencing with Section 7530) of Division 7 of Title 1 of the Government Code. Within 10 days of its adoption, the board of trustees shall file a copy of its resolution with the Secretary of State, the county clerk, the board of supervisors, and the local agency formation commission of each county in which the district is located.

(c) A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

*SEC. 19. Section 2054 of the Health and Safety Code is amended to read:*

2054. Whenever the boundaries of a district or a zone change, ~~or whenever the board of trustees levies a special tax or a special benefit assessment,~~ the district shall comply with Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5 of the Government Code.

SEC. 20. Section 2853 is added to the Health and Safety Code, to read:

2853. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

SEC. 21. Section 4766.5 is added to the Health and Safety Code, to read:

4766.5. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

SEC. 22. Section 6491.5 is added to the Health and Safety Code, to read:

6491.5. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

SEC. 23. Section 11372.5 of the Health and Safety Code is amended to read:

11372.5. (a) Every person who is convicted of a violation of Section 11350, 11351, 11351.5, 11352, 11355, 11358, 11359, 11361, 11363, 11364, 11368, 11375, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, 11380.5, 11382, 11383, 11390, 11391, or 11550 or subdivision (a) or (c) of Section 11357, or subdivision (a) of Section 11360 of this code, or Section 4230 of the Business and Professions Code shall pay a criminal



1 laboratory analysis fee in the amount of fifty dollars (\$50) for  
2 each separate offense. The court shall increase the total fine  
3 necessary to include this increment.

4 With respect to those offenses specified in this subdivision for  
5 which a fine is not authorized by other provisions of law, the  
6 court shall, upon conviction, impose a fine in an amount not to  
7 exceed fifty dollars (\$50), which shall constitute the increment  
8 prescribed by this section and which shall be in addition to any  
9 other penalty prescribed by law.

10 (b) The county treasurer shall maintain a criminalistics  
11 laboratories fund. The sum of fifty dollars (\$50) shall be  
12 deposited into the fund for every conviction under Section  
13 11350, 11351, 11351.5, 11352, 11355, 11358, 11359, 11361,  
14 11363, 11364, 11368, 11375, 11377, 11378, 11378.5, 11379,  
15 11379.5, 11379.6, 11380, 11380.5, 11382, 11383, 11390, 11391,  
16 or 11550, subdivision (a) or (c) of Section 11357, or subdivision  
17 (a) of Section 11360 of this code, or Section 4230 of the Business  
18 and Professions Code, in addition to fines, forfeitures, and other  
19 moneys which are transmitted by the courts to the county  
20 treasurer pursuant to Section 11502. The deposits shall be made  
21 prior to any transfer pursuant to Section 11502. The county may  
22 retain an amount of this money equal to its administrative cost  
23 incurred pursuant to this section. Moneys in the criminalistics  
24 laboratories fund shall, except as otherwise provided in this  
25 section, be used exclusively to fund (1) costs incurred by  
26 criminalistics laboratories providing microscopic and chemical  
27 analyses for controlled substances, in connection with criminal  
28 investigations conducted within both the incorporated or  
29 unincorporated portions of the county, (2) the purchase and  
30 maintenance of equipment for use by these laboratories in  
31 performing the analyses, and (3) for continuing education,  
32 training, and scientific development of forensic scientists  
33 regularly employed by these laboratories. Moneys in the  
34 criminalistics laboratory fund shall be in addition to any  
35 allocations pursuant to existing law. As used in this section,  
36 “criminalistics laboratory” means a laboratory operated by, or  
37 under contract with, a city, county, or other public agency,  
38 including a criminalistics laboratory of the Department of Justice,  
39 (1) which has not less than one regularly employed forensic  
40 scientist engaged in the analysis of solid-dose controlled

1 substances, and (2) which is registered as an analytical laboratory  
2 with the Drug Enforcement Administration of the United States  
3 Department of Justice for the possession of all scheduled  
4 controlled substances. In counties served by criminalistics  
5 laboratories of the Department of Justice, amounts deposited in  
6 the criminalistics laboratories fund, after deduction of  
7 appropriate and reasonable county overhead charges not to  
8 exceed 5 percent attributable to the collection thereof, shall be  
9 paid by the county treasurer once a month to the Controller for  
10 deposit into the state General Fund, and shall be excepted from  
11 the expenditure requirements otherwise prescribed by this  
12 subdivision.

13 (c) The county auditor shall, at the conclusion of each fiscal  
14 year, determine the amount of any funds remaining in the special  
15 fund established pursuant to this section after expenditures for  
16 that fiscal year have been made for the purposes herein specified.  
17 The county treasurer shall annually distribute those surplus funds  
18 in accordance with the allocation scheme for distribution of fines  
19 and forfeitures set forth in Section 11502.

20 SEC. 24. Section 13868 of the Health and Safety Code is  
21 amended to read:

22 13868. (a) A district board shall keep a record of all its acts,  
23 including its financial transactions.

24 (b) A district may destroy a record pursuant to Chapter 7  
25 (commencing with Section 60200) of Division 1 of Title 6 of the  
26 Government Code.

27 SEC. 25. Section 32107 is added to the Health and Safety  
28 Code, to read:

29 32107. A district may destroy a record pursuant to Chapter 7  
30 (commencing with Section 60200) of Division 1 of Title 6 of the  
31 Government Code.

32 SEC. 26. Section 1190.5 is added to the Military and  
33 Veterans Code, to read:

34 1190.5. A district may destroy a record pursuant to Chapter 7  
35 (commencing with Section 60200) of Division 1 of Title 6 of the  
36 Government Code.

37 SEC. 27. Section 1463.14 of the Penal Code is amended to  
38 read:

39 1463.14. (a) Notwithstanding the provisions of Section 1463,  
40 of the moneys deposited with the county treasurer pursuant to

1 Section 1463, fifty dollars (\$50) of each fine collected for each  
2 conviction of a violation of Section 23103, 23104, 23152, or  
3 23153 of the Vehicle Code shall be deposited in a special account  
4 which shall be used exclusively to pay for the cost of performing  
5 for the county, or a city or special district within the county,  
6 analysis of blood, breath or urine for alcohol content or for the  
7 presence of drugs, or for services related to that testing. The sum  
8 shall not exceed the reasonable cost of providing the services for  
9 which the sum is intended.

10 On November 1 of each year, the auditor of each county shall  
11 determine those moneys in the special account which were not  
12 expended during the preceding fiscal year, and shall transfer  
13 those moneys into the general fund of the county. The county  
14 may retain an amount of that money equal to its administrative  
15 cost incurred pursuant to this section, and shall distribute the  
16 remainder pursuant to Section 1463. If the account becomes  
17 exhausted, the public entity ordering a test performed pursuant to  
18 this subdivision shall bear the costs of the test.

19 (b) The board of supervisors of a county may, by resolution,  
20 authorize an additional penalty upon each defendant convicted of  
21 a violation of Section 23152 or 23153 of the Vehicle Code, of an  
22 amount equal to the cost of testing for alcohol content, less the  
23 fifty dollars (\$50) deposited as provided in subdivision (a). The  
24 additional penalty authorized by this subdivision shall be  
25 imposed only in those instances where the defendant has the  
26 ability to pay, but in no case shall the defendant be ordered to  
27 pay a penalty in excess of fifty dollars (\$50). The penalty  
28 authorized shall be deposited directly with the county, or city or  
29 special district within the county, which performed the test, in the  
30 special account described in subdivision (a), and shall not be the  
31 basis for any additional assessment pursuant to Section 1464 or  
32 1465, or Chapter 12 (commencing with Section 76010) of Title 8  
33 of the Government Code.

34 For purposes of this subdivision, “ability to pay” means the  
35 overall capability of the defendant to pay the additional penalty  
36 authorized by this subdivision, taking into consideration all of the  
37 following:

38 (1) Present financial obligations, including family support  
39 obligations, and fines, penalties, and other obligations to the  
40 court.

(2) Reasonably discernible future financial position over the next 12 months.

(3) Any other factor or factors which may bear upon the defendant's financial ability to pay the additional penalty.

(c) The Department of Justice shall promulgate rules and regulations to implement the provisions of this section.

SEC. 28. Section 5557.2 of the Public Resources Code is amended to read:

5557.2. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

SEC. 29. Section 5786.9 of the Public Resources Code is amended to read:

5786.9. (a) A district shall have perpetual succession.

(b) A board of directors may, by a four-fifths vote of its total membership, adopt a resolution to change the name of the district. The resolution shall comply with the requirements of Chapter 23 (commencing with Section 7530) of Division 7 of Title 1 of the Government Code. The board of directors shall not change the name of the district to the name of any living individual. Within 10 days of its adoption, the board of directors shall file a copy of its resolution with the Secretary of State, the county clerk, the board of supervisors, and the local agency formation commission of each county in which the district is located.

(c) A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

SEC. 29.1. Section 5786.31 of the Public Resources Code is amended to read:

5786.31. Whenever the boundaries of a district or a zone change, ~~or whenever the board of directors levies a special tax, benefit assessment, or a tax to pay for general obligation bonds,~~ the district shall comply with Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5 of the Government Code.

SEC. 29.2. Section 8801 of the Public Resources Code is amended to read:

8801. (a) The system of plane coordinates that has been established by the United States Coast and Geodetic Survey for

defining and stating the positions or locations of points on the surface of the earth within the State of California is based on the North American Datum of 1927 and is identified as the “California Coordinate System.” After January 1, 1987, this system shall be known as the “California Coordinate System of 1927.”

(b) The system of plane coordinates which has been established by the National Geodetic Survey for defining and stating the positions or locations of points on the surface of the earth within the State of California and which is based on the North American Datum of 1983 shall be known as the “California Coordinate System of 1983.”

(c) As used in this chapter:

(1) “NAD27” means the North American Datum of 1927.

(2) “CCS27” means the California Coordinate System of 1927.

(3) “NAD83” means the North American Datum of 1983.

(4) “CCS83” means the California Coordinate System of 1983.

(5) “USC&GS” means the United States Coast and Geodetic Survey.

(6) “NGS” means the National Geodetic Survey or its successor.

(7) “FGCS” means the Federal Geodetic Control Subcommittee or its successor.

(8) “CSRC” means the California Spatial Reference Center or its successor.

~~(9) “CSRS-H” means the California Spatial Reference System-Horizontal.~~ “CSRN” means the California Spatial Reference Network, as defined in Section 8850.

~~(10) For the purposes of State Plan Coordinates, first order or better FGCS accuracy standards are considered equivalent to two centimeter or better horizontal accuracy as defined by the Federal Geographic Data Committee’s “Geospatial Positioning Accuracy Standards, Part 2: Standards for Geodetic Networks.” Second order or better accuracy is similarly considered as equivalent to five centimeter or better accuracy pursuant to the same federal standards.~~ “GPS” means Global Positioning System and includes other, similar space-based systems.

1 (11) “FGDC” means the Federal Geographic Data  
2 Committee or its successor.

3 (d) The use of the term “State Plane Coordinates” refers only  
4 to CCS27 and CCS83 coordinates.

5 ~~(e) The system of horizontal geodetic control stations within~~  
6 ~~California whose horizontal positions have been determined by~~  
7 ~~Global Positioning System survey methods in accordance with~~  
8 ~~first order or better FGCS standards and specifications and whose~~  
9 ~~positions are published by the NGS, CSRC, or its successor, shall~~  
10 ~~be known as the “California Spatial Reference~~  
11 ~~System-Horizontal.”~~

12 SEC. 29.3. Section 8802 of the Public Resources Code is  
13 amended to read:

14 8802. For CCS27, the state is divided into seven zones. For  
15 CCS83, the state is divided into six zones. Zone 7 of CCS27,  
16 which encompasses Los Angeles County, is eliminated and the  
17 area is included in Zone 5 of CCS83.

18 Each zone of CCS27 is a Lambert conformal conic projection  
19 based on Clarke’s Spheroid of 1866, which is the basis of  
20 NAD27. The points of control of zones one to six, inclusive, bear  
21 the coordinates: Northing (y) = 000.00 feet and Easting (x) =  
22 2,000,000 feet. The point of control of Zone 7 bears the  
23 coordinates: Northing (y) = 4,160,926.74 feet and Easting (x) =  
24 4,186,692.58 feet.

25 Each zone of CCS83 is a Lambert conformal conic projection  
26 based on the Geodetic Reference System of 1980, which is the  
27 basis of NAD83. The point of control of each of the six zones  
28 bear the coordinates: Northing (y) = 500,000 meters and Easting  
29 (x) = 2,000,000 meters.

30 The area included in the following counties constitutes Zone 1  
31 of CCS27 and CCS83: Del Norte, Humboldt, Lassen, Modoc,  
32 Plumas, Shasta, Siskiyou, Tehama, and Trinity.

33 The area included in the following counties constitutes Zone 2  
34 of CCS27 and CCS83: Alpine, Amador, Butte, Colusa, El  
35 Dorado, Glenn, Lake, Mendocino, Napa, Nevada, Placer,  
36 Sacramento, Sierra, Solano, Sonoma, Sutter, Yolo, and Yuba.

37 The area included in the following counties constitutes Zone 3  
38 of CCS27 and CCS83: Alameda, Calaveras, Contra Costa,  
39 Madera, Marin, Mariposa, Merced, Mono, San Francisco, San

1 Joaquin, San Mateo, Santa Clara, Santa Cruz, Stanislaus, and  
2 Tuolumne.

3 The area included in the following counties constitutes Zone 4  
4 of CCS27 and CCS83: Fresno, Inyo, Kings, Monterey, San  
5 Benito, and Tulare.

6 The area included in the following counties and Channel  
7 Islands constitutes Zone 5 of CCS27: Kern, San Bernardino, San  
8 Luis Obispo, Santa Barbara (excepting Santa Barbara Island),  
9 and Ventura (excepting San Nicholas Island) and the Channel  
10 Islands of Santa Cruz, Santa Rosa, San Miguel, and Anacapa.

11 The area included in the following counties and Channel  
12 Islands constitutes Zone 5 of CCS83: Kern, Los Angeles  
13 (excepting San Clemente and Santa Catalina Islands), San  
14 Bernardino, San Luis Obispo, Santa Barbara (excepting Santa  
15 Barbara Island), and Ventura (excepting San Nicholas Island)  
16 and the Channel Islands of Santa Cruz, Santa Rosa, San Miguel,  
17 and Anacapa.

18 The area included in the following counties and Channel  
19 Islands constitutes Zone 6 of CCS27 and CCS83: Imperial,  
20 Orange, Riverside, and San Diego and the Channel Islands of  
21 San Clemente, Santa Catalina, Santa Barbara, and San Nicholas.

22 The area included in Los Angeles County constitutes Zone 7 of  
23 CCS27.

24 *SEC. 29.4. Section 8809 of the Public Resources Code is*  
25 *amended to read:*

26 8809. Zone 7 coordinates shall be named, and, on any map on  
27 which they are used, they shall be designated as “CCS27, Zone  
28 7.”

29 On its respective spheroid of reference: (1) the standard  
30 parallels of CCS27, Zone 7 are at north latitudes 33 degrees 52  
31 minutes and 34 degrees 25 minutes, along which parallels the  
32 scale shall be exact; and (2) the point of control of coordinates is  
33 at the intersection of the zone’s central meridian, which is at 118  
34 degrees 20 minutes west ~~longitude~~ *longitude*, with the parallel  
35 34 degrees 08 minutes north latitude.

36 *SEC. 29.5. Section 8813 of the Public Resources Code is*  
37 *amended to read:*

38 8813. After December 31, 1999, and prior to January 1,  
39 2006, any survey or map that uses state plane coordinates ~~or~~  
40 ~~geodetic positions~~ shall be based on, and show, field-observed

1 direct connections to at least two *horizontal reference* stations  
2 that are one of the following:

3 (a) Included in the ~~CSRS-H~~ CSRN.

4 (b) Located outside the State of California and meet all the  
5 requirements for inclusion in the ~~CSRS-H~~, as defined in  
6 ~~subdivision (c) of Section 8801~~ CSRN, except for the  
7 requirement that they be inside California.

8 (c) Shown on a subdivision map, record of survey, or a map  
9 filed with the county surveyor by a public officer and whose  
10 horizontal positions have been determined by Global Positioning  
11 System survey methods in accordance with first order or better  
12 FGCS standards and specifications and whose state plane  
13 coordinates are based on field-observed direct, nontrivial  
14 connections to at least two stations that are included in  
15 subdivision (a) or (b).

16 SEC. 29.6. *Section 8813.1 is added to the Public Resources*  
17 *Code, to read:*

18 8813.1. *After December 31, 2005, any survey that uses or*  
19 *establishes a CCS83 value or values shall meet all of the*  
20 *following requirements:*

21 (a) *The survey shall be referenced to and shall have*  
22 *field-observed statistically independent connections to one or*  
23 *more horizontal reference stations that is or are one of the*  
24 *following:*

25 (1) *CSRN station.*

26 (2) *Geodtic control station located outside of the State of*  
27 *California that meets all the requirements for inclusion in the*  
28 *CSRN except that the station is outside California.*

29 (3) *Existing CCS83 station that (A) is shown on a map filed*  
30 *with the applicable county surveyor by a public officer,*  
31 *subdivision map, corner record, or record of survey, (B) meets*  
32 *all the requirements for inclusion in the CSRN except that the*  
33 *station and its data are not published by NGS or CSRC, and (C)*  
34 *has an accuracy, conforming to the applicable CSRN*  
35 *requirements, stated for the station's value.*

36 (4) *Existing CCS83 station that (A) is shown on a public map*  
37 *or document that is compiled and maintained by the applicable*  
38 *county surveyor, (B) meets all the requirements for inclusion in*  
39 *the CSRN except that the station and its data are not published*



by NGS or CSRC, and (C) has an accuracy, conforming to the applicable CSRN requirements, stated for the station's value.

(b) If an accuracy is to be held for the CCS83 value or values established, the claimed accuracy shall be an accuracy standard published by FGDC or FGCS.

SEC. 29.7. Section 8813.2 is added to the Public Resources Code, to read:

8813.2. After December 31, 2005, if an accuracy is claimed for a CCS83 value or values, the survey that established the value or values shall be documented on a map, record of survey, corner record, or other document that includes, in addition to other requirements in this chapter, the following:

(a) For CCS83 station, the resultant CCS83 value or values.

(b) The FGDC or FGCS accuracy standard of the CCS83 value or values established. FGDC accuracies shall be identified as either a local or network accuracy.

(c) Additional written data that justifies the FGDC or FGCS accuracy standard shown. Such additional written data shall include observation equipment, control diagram including required field-observed statistically independent connection or connections, adjustment methodology and software used, a summary of the procedures used or a reference to published commonly accepted procedural specifications, final residuals or closures, and other data essential for others to evaluate the survey.

SEC. 29.8. Section 8813.3 is added to the Public Resources Code, to read:

8813.3. After December 31, 2005, when a survey that uses or establishes a CCS83 value or values is shown on any document, the station or stations to which the CCS83 value or values are referenced or connected and the CCS83 value or values and the published or stated accuracy or accuracies of that reference station or stations shall be shown also on the document.

If a CCS83 survey begins before January 1, 2006, and is not completed by that date, the CCS83 survey may be completed in accordance with Sections 8813 and 8815.4 of this chapter or Sections 8813.1, 8813.2, and 8813.3 of this chapter, at the surveyor's option. All other applicable provisions of this chapter remain applicable.

1     *SEC. 29.9. Section 8815.1 of the Public Resources Code is*  
2     *amended to read:*

3     8815.1. When CCS83 coordinates are shown on any map,  
4     corner record, or other document, the map, corner record, or  
5     document shall state the epoch (date), *and a decimal year format*  
6     *to two decimal places*, that is the basis of the coordinate values  
7     shown. The epoch shall be shown on the map, corner record, or  
8     other document by an appropriate note on the map, corner  
9     record, or document or by adding a suffix in parentheses after  
10    CCS83 that states the epoch; ~~for example examples,~~ “CCS83  
11    (1991.35)” ~~is the epoch in a decimal year format,~~ “CCS  
12    (2002.00),” *and so forth.*

13    *SEC. 29.10. Section 8815.2 of the Public Resources Code is*  
14    *amended to read:*

15    8815.2. The epoch for a survey using CCS83 coordinate shall  
16    be the ~~NGS-published~~ *NGS or CSRC published* epoch of a  
17    published coordinate for a controlling station used for that  
18    survey. ~~Surveys~~ *Such surveys* performed after December 31,  
19    1999, shall be based on the “1991.35” epoch or a subsequent  
20    epoch, ~~as specified in Section 8815.1 published NGS or CSRC~~  
21    *epoch.*

22    *SEC. 29.11. Section 8815.4 of the Public Resources Code is*  
23    *amended to read:*

24    8815.4. When a purported order of accuracy of second order  
25    or better is shown for CCS83 coordinate values on any map,  
26    corner record, or other document *prior to January 1, 2006*, that  
27    map, corner record, or other document shall use the order of  
28    accuracy as defined by the FGCS. If an FGCS order of accuracy  
29    is claimed for a survey or a map, it shall be justified by additional  
30    written data that shows equipment, procedures, closures,  
31    adjustments, and a control diagram.

32    *SEC. 29.12. Section 8815.5 is added to the Public Resources*  
33    *Code, to read:*

34    8815.5. When CCS83 coordinates are shown on any map,  
35    corner record, record of survey, or similar document, a mapping  
36    angle, combined grid factor, and the elevation used to determine  
37    the combined grid factor shall be shown on the map, record of  
38    survey, or similar document for at least one representative point.

39    *SEC. 29.13. Section 8819 of the Public Resources Code is*  
40    *amended to read:*

8819. This chapter does not prohibit the use of new geodetic surveying technologies *or techniques* for which FGCS *or other accepted* specifications have not yet been published, ~~except that if first order or second order accuracy is claimed for any of the resulting monumented stations, the state plane coordinates shall conform to FGCS accuracy standards.~~

*SEC. 29.14. Chapter 3 (commencing with Section 8850) is added to Division 8 of the Public Resources Code, to read:*

CHAPTER 3. GEODETIC DATUMS AND THE CALIFORNIA  
SPATIAL REFERENCE NETWORK

8850. *The official geodetic datums and spatial reference network for use within the State of California shall be as defined by this chapter.*

8851. *As used in this chapter:*

(a) *“NGS” means National Geodetic Survey or its successor.*

(b) *“CSRC” means California Spatial Reference Center or its successor.*

(c) *“NAD83” means North American Datum of 1983.*

(d) *“NAVD88” means North American Vertical Datum of 1988.*

(e) *“ITRF” means International Terrestrial Reference Frame as defined by the International Earth Rotation Service.*

(f) *“GPS” means Global Positioning System and includes other, similar space-based systems.*

(g) *“FGDC” means Federal Geographic Data Committee or its successor.*

(h) *“FGCS” means the Federal Geodetic Control Subcommittee or its successor.*

(i) *“CSRN” means California Spatial Reference Network.*

8852. *The official geodetic datum to which horizontal positions and ellipsoid heights are referenced within the State of California shall be NAD83.*

8853. *The official geodetic datum to which orthometric heights are referenced within the State of California shall be NAVD88.*

8854. *When horizontal positions, ellipsoid heights, or orthometric heights are shown on a document, the document*

1 shall show the geodetic datum to which the values are  
2 referenced, whether NAD83, NAVD88, ITRF, or another datum.

3 8855. The official geodetic reference control network for use  
4 within the State of California shall be the CSRN as defined by  
5 this chapter.

6 8856. The geodetic control stations within the State of  
7 California having horizontal positions conforming to all of the  
8 following requirements shall be part of the CSRN. Those  
9 horizontal positions shall:

- 10 (a) Be referenced to NAD83.
- 11 (b) Have been determined by GPS survey methods.
- 12 (c) Be published by NGS or CSRC.
- 13 (d) Have a NGS or CSRC published network accuracy of two  
14 centimeters or better as defined by FGDC or a NGS or CSRC  
15 published accuracy of first order or better as defined by FGCS.
- 16 (e) Have a NGS or CSRC published horizontal velocity or a  
17 horizontal velocity that can be determined using procedures and  
18 values published by NGS or CSRC.

19 8857. The geodetic control stations within the State of  
20 California have ellipsoid heights conforming to all of the  
21 following requirements shall be part of the CSRN. The ellipsoid  
22 heights shall:

- 23 (a) Be referenced to NAD83.
- 24 (b) Have been determined by GPS survey methods.
- 25 (c) Be published by NGS or CSRC.
- 26 (d) Have NGS or CSRC published network accuracy of five  
27 centimeters or better as defined by FGDC or a NGS or CSRC  
28 published accuracy of fourth order, class II, or better as defined  
29 by FGCS.

30 8858. The geodetic control stations within the State of  
31 California having orthometric heights determined by GPS survey  
32 methods and conforming to all of the following requirements  
33 shall be part of the CSRN. Said orthometric heights shall:

- 34 (a) Be based on NAD83 and referenced to NAVD88.
- 35 (b) Be published by NGS or CSRC.
- 36 (c) Have a NGS or CSRC published network accuracy of five  
37 centimeters or better as defined by FGDC.

38 8859. The geodetic control stations within the State of  
39 California having orthometric heights determined by differential  
40 leveling survey methods and conforming to all of the following

1 *requirements shall be part of the CSRN. Said orthometric heights*  
2 *shall:*

- 3 *(a) Be referenced to NAVD88.*
- 4 *(b) Be published by NGS or CSRC.*
- 5 *(c) Have a NGS or CSRC published accuracy of third order,*  
6 *class II or better as defined by FGCS.*

7 *8860. The use of the NAD83, NAVD88, and CSRN by any*  
8 *person, firm, or governmental agency is optional.*

9 *8861. The provisions of this chapter shall not be construed to*  
10 *prohibit the appropriate use of other datums, including ITRF,*  
11 *and other geodetic reference control networks.*

12 *SEC. 29.15. Chapter 4 (commencing with Section 8870) is*  
13 *added to Division 8 of the Public Resources Code, to read:*

14  
15 *CHAPTER 4. CALIFORNIA GEODETIC COORDINATES*  
16

17 *8870. Geodetic coordinates within the State of California that*  
18 *are based on the Northern American Datum of 1983 and*  
19 *conforming to the provisions of this chapter shall be known as*  
20 *“California Geodetic Coordinates of 1983.”*

21 *8871. As used in this chapter:*

- 22 *(a) “NGS” means National Geodetic Survey or its successor.*
- 23 *(b) “CSRC” means California Spatial Reference Center or its*  
24 *successor.*
- 25 *(c) “NAD83” means North American Datum of 1983.*
- 26 *(d) “GPS” means Global Positioning System and includes*  
27 *other, similar spaced-based systems.*
- 28 *(e) “FGDC” means the Federal Geographic Data Committee*  
29 *or its successor.*
- 30 *(f) “FGCS” means the Federal Geodetic Control*  
31 *Subcommittee or its successor.*
- 32 *(g) “CSRN” means California Spatial Reference Network as*  
33 *defined by Chapter 3 (commencing with Section 8850),*  
34 *“Geodetic Datums and the California Spatial Reference*  
35 *Network.*
- 36 *(h) “CGC83” means California Geodetic Coordinates of*  
37 *1983.*

38 *8872. The phrase “California Geodetic Coordinates of 1983”*  
39 *or any abbreviation thereof, such as “CGC83,” shall be used*  
40 *only conforming to the provisions of this chapter.*

1 8873. CGC83 values shall be expressed as latitude,  
2 longitude, or ellipsoid height values or as Cartesian coordinates  
3 (x, y, z). When Cartesian coordinates are used, the symbols and  
4 conventions utilized shall be the same as that used by NGS.

5 8874. CGC83 latitude and longitude values shall be  
6 expressed in degrees, minutes, seconds, and decimals of a  
7 second, or degrees and decimals of a degree. CGC83 ellipsoid  
8 height values shall be expressed in meters and decimals of a  
9 meter or feet and decimals of a foot. When ellipsoid height values  
10 are expressed in feet, the “U.S. Survey Foot” (one foot equals  
11 1200/3937 meters) shall be used as the standard foot. CGC83  
12 Cartesian coordinate values shall be expressed in meters and  
13 decimals of a meter.

14 When CGC83 values are stated on any document, the unit of  
15 measure shall be clearly stated.

16 8875. The survey that establishes a CGC83 value or values  
17 shall meet all of the following requirements:

18 (a) The survey shall be referenced to and shall have  
19 field-observed statistically independent connections to one or  
20 more appropriate reference stations that is, or are, one of the  
21 following:

22 (1) CSRN station.

23 (2) Geodetic control station located outside of the State of  
24 California that meets all the requirements for inclusion in the  
25 CSRN except that the station is outside California.

26 (3) Existing CGC83 station that:

27 (A) Is shown on a map filed with the applicable county  
28 surveyor by a public officer, subdivision map, corner record, or  
29 record of survey.

30 (B) Meets all the requirements for inclusion in the CSRN  
31 except that the station and its data are not published by NGS or  
32 CSRC.

33 (C) Has an accuracy, conforming to the applicable CSRN  
34 requirements, stated for the station’s value.

35 (4) Existing CGC83 station that is shown on a public map or  
36 document that:

37 (A) Is compiled and maintained by the applicable county  
38 surveyor.

1     (B) Meets all the requirements for inclusion in the CSRN  
2     except that the station and its data are not published by NGS or  
3     CSRC.

4     (C) Has an accuracy, conforming to the applicable CSRN  
5     requirements, stated for the station's value.

6     (b) If an accuracy is to be claimed for the CGC83 value or  
7     values established, the claimed accuracy shall be an accuracy  
8     standard published by FGDC or FGCS.

9     8876. If an accuracy is claimed for a CGC83 value or values,  
10    the survey that established the value or values shall be  
11    documented on a map, record of survey, corner record, or other  
12    document that includes, at a minimum, the following:

13    (a) For each CGC83 station, the resultant CGC83 value or  
14    values.

15    (b) The epoch (date), in a decimal year format to two decimal  
16    places, that is the basis of the CGC83 values shown.

17    If the published epochs for the horizontal positions of the  
18    controlling stations are not the same, appropriate adjustments  
19    shall be made to the horizontal values of the controlling stations  
20    so that said values of all the controlling stations are at one  
21    consistent epoch published by NGS or CSRC. These adjustments  
22    in the coordinates of the controlling stations shall be made in  
23    accordance with procedures and values published by the NGS  
24    and CSRC.

25    (c) The FGDC and FGCS accuracy standard of the CGC83  
26    value or values established. FGDC accuracies shall be identified  
27    as either a local or network accuracy.

28    (d) Additional written data that justifies the FGDC or FGCS  
29    accuracy standard shown. Such additional written data shall  
30    include observation equipment, control diagram including  
31    required field-observed statistically independent connection or  
32    connections, adjustment methodology and software used, a  
33    summary of the procedures used or a reference to published  
34    commonly accepted procedural specifications, final residuals or  
35    closures, and other data essential for others to evaluate the  
36    survey.

37    8877. When a CGC83 value or values are shown on any  
38    document, the document shall include the following:

39    (a) A statement that the geodetic coordinate value or values  
40    shown are a CGC83 value or values; exceptions shall be noted.

1     (b) *The station or stations to which the CGC83 value or values*  
2     *are referenced or connected and the geodetic coordinate value or*  
3     *values and the published or stated accuracy or accuracies of said*  
4     *reference station or stations.*

5     (c) *The epoch of the CGC83 value or values shown. The epoch*  
6     *shall conform to provisions of subdivision (b) of Section 8876.*

7     8878. *The use of CGC83 by any person, firm, or*  
8     *governmental agency is optional.*

9     8879. *This chapter does not impair or invalidate land titles,*  
10    *legal descriptions, or jurisdictional or land boundaries and,*  
11    *further, this chapter does not impair or invalidate references to,*  
12    *or the use of, datums or latitude, longitude, or ellipsoid height*  
13    *values or other geodetic coordinate values that do not conform to*  
14    *this chapter except as specified in Section 8872.*

15    8880. *This chapter does not prohibit the use of new surveying*  
16    *technologies or techniques for which FGCS specifications or*  
17    *other accepted standards have not yet been published.*

18    SEC. 29.16. *Chapter 5 (commencing with Section 8890) is*  
19    *added to Division 8 of the Public Resources Code, to read:*

20  
21           CHAPTER 5. CALIFORNIA ORTHOMETRIC HEIGHTS  
22

23    8890. *Orthometric heights within the State of California that*  
24    *are based on the Northern America Vertical Datum of 1988 and*  
25    *conforming to the provisions of this chapter shall be known as*  
26    *“California Orthometric Heights of 1988.” Orthometric heights*  
27    *are commonly referred to as “elevations.”*

28    8891. *As used in this chapter:*

29    (a) *“NGS” means National Geodetic Survey or its successor.*

30    (b) *“CSRC” means California Spatial Reference Center or its*  
31    *successor.*

32    (c) *“NAVD88” means North American Vertical Datum of*  
33    *1988.*

34    (d) *“GPS” means Global Positioning System and includes*  
35    *other, similar space-based systems.*

36    (e) *“FGDC” means the Federal Geographic Data Committee*  
37    *or its successor.*

38    (f) *“FGCS” means the Federal Geodetic Control*  
39    *Subcommittee or its successor.*



(g) “CSRN” means California Spatial Reference Network as defined by, Chapter 3 (commencing with Section 8850), “Geodetic Datums and the California Spatial Reference Network.

(h) “COH88” means California Orthometric Heights of 1988. 8892. The phrase “California Orthometric Heights of 1988” or any abbreviation, such as “COH88,” thereof shall be used only in reference to orthometric heights based on NAVD88 and conforming to the provisions of this chapter.

8893. COH88 values shall be expressed in meters and decimals of a meter or in feet and decimals of a foot. When COH88 values are expressed in feet, the “U.S. Survey Foot,” (one foot equals 1200/3937 meters) shall be used as the standard foot.

8894. COH88 values that are determined from differential leveling surveys shall be known as “leveled COH88” values. COH88 values that are determined from GPS surveys and the appropriate application of a geoid model shall be known as “derived COH88” values.

8895. When a geoid model is used to determine derived COH88 values, it shall be the latest geoid model published by NGS.

8896. The accuracy of derived COH88 values may be improved by applying a “local orthometric height correction” to the geoid height determined from the latest, applicable geoid model published by NGS.

8897. The survey that establishes a COH88 value or values shall meet all of the following requirements:

(a) The survey shall be referenced to and shall have field-observed statistically independent connections to one or more orthometric height reference stations that is or are one of the following:

(1) CSRN station.

(2) Geodetic control station located outside of the State of California that meets all the requirements for inclusion in the CSRN except that the station is outside California.

(3) Existing COH88 station that (A) is shown on a map filed in the applicable county surveyor by a public officer, subdivision map, corner record, or record of survey, (B) meets all the requirements for inclusion in the CSRN except that the station

1 and its data are not published NY NGS or CSRC, and (C) has an  
2 accuracy, conforming to the applicable CSRN requirements,  
3 stated for the station's value.

4 (4) Existing COH88 station that is shown on a public map or  
5 document that (A) is compiled and maintained by the applicable  
6 county surveyor, (B) meets all the requirements for inclusion in  
7 the CSRN except that the station and its data are not published  
8 by NGS or CSRC, and (C) has an accuracy, conforming to the  
9 applicable CSRN requirements, stated for the station's value.

10 (b) If an accuracy is to be claimed for the COH88 value or  
11 values established, the claimed accuracy shall be an accuracy  
12 standard published by FGDC or FGCS.

13 8898. If an accuracy is claimed for a COH88 value or values,  
14 the survey that established the value or values shall be  
15 documented on a map, record of survey, corner record, or other  
16 document that includes, at a minimum, the following:

17 (a) For each COH88 station, the resultant COH88 value.

18 (b) For each individual COH88 value, whether it is a leveled  
19 COH88 or a derived COH88 value.

20 (c) For leveled COH88 values, the beginning and ending dates  
21 of the observations used to determine the values.

22 (d) For derived COH88 values, the date of the NGS geoid  
23 model used to determine the values.

24 (e) When derived COH88 values are shown and reflect the  
25 application of a "local orthometric height correction model,"  
26 written data that justifies the model's validity. Such written data  
27 shall include a summary of the procedures, computations,  
28 analysis, and validation process used to develop the model.

29 (f) For derived COH88 values, the epoch (date), in a decimal  
30 year format to two decimal places, that is the basis of the COH88  
31 values shown. Said epoch shall be the published NGS or CSRC  
32 epoch of a controlling station for the survey.

33 (g) The FGDC or FGCS accuracy standard of the COH88  
34 value or values established. FGDC accuracies shall be identified  
35 as either a local or network accuracy.

36 (h) Additional written data that justifies the FGDC or FGCS  
37 accuracy standard shown. Such additional written data shall  
38 include observation equipment, control diagram including  
39 required field-observed statistically independent connection or  
40 connections, adjustment methodology and software used, a

1 *summary of the procedures used or a reference to a published*  
2 *commonly accepted procedural specifications, final residuals or*  
3 *closures, and other data essential for others to evaluate the*  
4 *survey.*

5 *8899. When a COH88 value or values are shown on any*  
6 *document, the document shall include the following:*

7 *(a) A statement that the orthometric height or heights shown*  
8 *are a COH88 value or values; exceptions shall be noted.*

9 *(b) The station or stations to which the COH88 value or*  
10 *values are referenced or connected and the orthometric height*  
11 *value or values and the published or stated accuracy or*  
12 *accuracies of said referenced station or stations.*

13 *8900. The use of COH88 by any person, firm, or*  
14 *governmental agency is optional.*

15 *8901. This chapter does not impair or invalidate land titles,*  
16 *legal descriptions, or jurisdictional or land boundaries and,*  
17 *further, this chapter does not impair or invalidate references to,*  
18 *or the use of, datums, elevations, orthometric heights, or other*  
19 *height values that do not conform to this chapter except as*  
20 *specified in Section 8892 in this chapter.*

21 *8902. This chapter does not prohibit the use of new surveying*  
22 *technologies or techniques for which FGCS specifications or*  
23 *other accepted specifications have not yet been published.*

24 **SEC. 30.** Section 9313 of the Public Resources Code is  
25 amended to read:

26 **9313. (a)** All meetings of the directors shall be open to the  
27 public. All records of the district shall be open to public  
28 inspection during business hours.

29 **(b)** A district may destroy a record pursuant to Chapter 7  
30 (commencing with Section 60200) of Division 1 of Title 6 of the  
31 Government Code.

32 **SEC. 31.** Section 26582 of the Public Resources Code is  
33 amended to read:

34 **26582. (a)** A district shall keep a record of the proceedings of  
35 its meetings. A district is subject to the provisions of the Ralph  
36 M. Brown Act (commencing with Section 54950 of the  
37 Government Code).

38 **(b)** A district may destroy a record pursuant to Chapter 7  
39 (commencing with Section 60200) of Division 1 of Title 6 of the  
40 Government Code.

1 SEC. 32. Section 12772 of the Public Utilities Code is  
2 amended to read:

3 12772. A district may destroy a record pursuant to Chapter 7  
4 (commencing with Section 60200) of Division 1 of Title 6 of the  
5 Government Code.

6 SEC. 33. Section 16044 is added to the Public Utilities Code,  
7 to read:

8 16044. A district may destroy a record pursuant to Chapter 7  
9 (commencing with Section 60200) of Division 1 of Title 6 of the  
10 Government Code.

11 SEC. 34. Section 16486 of the Public Utilities Code is  
12 amended to read:

13 16486. (a) In addition to all other powers, excepting  
14 telephone service, authorized by this division, the Kirkwood  
15 Meadows Public Utility District may acquire, construct, own, and  
16 operate public parking facilities and cable television facilities and  
17 may provide snow removal and road maintenance services for all  
18 roads open to the public, including, but not limited to, public  
19 roads and roads offered for dedication but not accepted, within  
20 the district. Prior to providing any snow removal or road  
21 maintenance services, the district shall obtain the consent of any  
22 public agency owning the roads. Notwithstanding Section 16467,  
23 the facilities and services provided in this subdivision need not  
24 be operated on a self-sustaining, revenue-producing basis.  
25 Revenue to defray the cost of the facilities and services may be  
26 raised in any manner authorized by this division.

27 (b) The Kirkwood Meadows Public Utility District may  
28 exercise all of the powers of a mosquito abatement district or  
29 vector control district, as set forth in the Mosquito Abatement  
30 and Vector Control District Law (Chapter 5 (commencing with  
31 Section 2000) of Division 3 of the Health and Safety Code),  
32 within the service area of the Kirkwood Meadows Public Utility  
33 District.

34 SEC. 35. Section 16489 of the Public Utilities Code is  
35 amended to read:

36 16489. The June Lake Public Utility District may exercise all  
37 of the powers of a mosquito abatement district or vector control  
38 district, as set forth in the Mosquito Abatement and Vector  
39 Control District Law (Chapter 5 (commencing with Section

2000) of Division 3 of the Health and Safety Code), within the service area of the June Lake Public Utility District.

SEC. 36. Section 22411 is added to the Public Utilities Code, to read:

22411. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

SEC. 36.1. Section 132352 of the Public Utilities Code is amended to read:

132352. (a) The consolidated agency may adopt bylaws and other rules necessary to carry out its responsibilities.

(b) The clerk of the board shall cause a proposed ordinance or proposed amendment to an ordinance, and any ordinance adopted by the board, to be published at least once, in a newspaper of general circulation published and circulated in the board's area of jurisdiction.

(c) The publication of an ordinance, as required by subdivision (b), may be satisfied by either of the following actions:

(1) The board may publish a summary of a proposed ordinance or proposed amendment to an ordinance. The summary shall be prepared by a person designated by the board. The summary shall be published and a certified copy of the full text of the proposed ordinance or proposed amendment shall be posted in the office of the clerk of the board at least five days prior to the board meeting at which the proposed ordinance or amendment is to be adopted. Within 15 days after adoption of the ordinance or amendment, the board shall publish a summary of the ordinance or amendment with the names of those board members voting for and against the ordinance or amendment and the clerk shall post in the office of the clerk a certified copy of the full text of the adopted ordinance or amendment along with the names of those board members voting for and against the preordinance or amendment.

(2) If the person designated by the board determine that it is not feasible to prepare a fair and adequate summary of the proposed ordinance or amendment, and if the board so orders, a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the board's area of jurisdiction shall be published at least five days prior to the

1 board meeting at which the proposed ordinance or amendment is  
2 to be adopted. Within 15 days after adoption of the ordinance or  
3 amendment, a display advertisement of at least one-quarter of a  
4 page shall be published. The advertisement shall indicate the  
5 general nature of, and provide information regarding, the  
6 adopted ordinance or amendment, including information  
7 sufficient to enable the public to obtain copies of the complete  
8 text of the ordinance or amendment, and the names of those  
9 board members voting for and against the ordinance or  
10 amendment.

11 SEC. 36.2. Section 170006 of the Public Utilities Code is  
12 amended to read:

13 170006. For the purposes of this division, the following terms  
14 have the following meanings, unless the context requires  
15 otherwise.

16 (a) The “authority” means the San Diego County Regional  
17 Airport Authority established under this division.

18 (b) The “board” means the governing board of the authority  
19 established as specified in Section 170016.

20 (c) The “interim board” means the limited term board  
21 established as specified in Section 170012.

22 (d) The “port” means the San Diego Unified Port District  
23 established under the San Diego Unified Port District Act  
24 (Chapter 67 of the Statutes of 1962, First Extraordinary Session).

25 (e) The “San Diego International Airport” means the airport  
26 located at Lindbergh Field in the County of San Diego.

27 (f) (1) The “east area cities” mean the Cities of El Cajon,  
28 Lemon Grove, La Mesa, and Santee.

29 (2) The “north coastal area cities” mean the Cities of Carlsbad,  
30 Del Mar, Encinitas, Oceanside, ~~San Marcos~~, and Solana Beach.

31 (3) The “north inland area cities” mean the Cities of Poway,  
32 Escondido, Vista, and San Marcos.

33 (4) The “south area cities” mean the Cities of Coronado,  
34 Imperial Beach, Chula Vista, and National City.

35 SEC. 36.3. Section 170010 of the Public Utilities Code is  
36 repealed.

37 ~~170010. The interim executive director of the authority shall~~  
38 ~~be that person who is the Senior Director of Aviation of the port~~  
39 ~~on September 1, 2001. The interim executive director shall~~  
40 ~~undertake all regular and necessary measures and decisions for~~

1 ~~the efficient operation of the authority until January 6, 2004, or~~  
2 ~~until the time that a permanent executive director is appointed,~~  
3 ~~whichever occurs first.~~

4 *SEC. 36.4. Section 170012 of the Public Utilities Code is*  
5 *repealed.*

6 ~~170012. (a) There shall be an interim board of the authority~~  
7 ~~to advise the interim executive director, to prepare and adopt the~~  
8 ~~transition plan required under Section 170062, and to oversee the~~  
9 ~~activities required pursuant to subdivisions (c), (d), (e), and (f) of~~  
10 ~~Section 170048.~~

11 ~~(b) The interim board shall be chaired by the interim executive~~  
12 ~~director.~~

13 ~~(c) The interim executive director shall appoint five members~~  
14 ~~to the interim board. The members shall be geographically~~  
15 ~~representative of San Diego County and shall be serving as~~  
16 ~~elected officials of, appointees to, or representatives of local,~~  
17 ~~state, or federal governmental agencies or bodies, at the time of~~  
18 ~~their respective appointment.~~

19 ~~(d) The first meeting of the interim board shall be on January~~  
20 ~~7, 2002, at a time and location to be determined by the chair.~~  
21 ~~Thereafter, the chair shall hold monthly public meetings of the~~  
22 ~~interim board.~~

23 ~~(e) The interim board shall be dissolved on December 2, 2002.~~

24 *SEC. 36.5. Section 170014 of the Public Utilities Code is*  
25 *repealed.*

26 ~~170014. To assist the interim board and the interim executive~~  
27 ~~director on all matters related to the transition of San Diego~~  
28 ~~International Airport to the authority, a management advisory~~  
29 ~~committee shall be appointed, with membership as follows:~~

30 ~~(a) The general manager of the San Diego Metropolitan~~  
31 ~~Transit Development Board.~~

32 ~~(b) The executive director of the San Diego Association of~~  
33 ~~Governments, a joint exercise of powers agency.~~

34 ~~(c) The executive director of the North San Diego County~~  
35 ~~Transit District.~~

36 ~~(d) A representative of the port, appointed by the board of~~  
37 ~~directors of the port.~~

38 *SEC. 36.6. Section 170016 of the Public Utilities Code is*  
39 *amended to read:*

1 170016. (a) The permanent board shall be established  
2 pursuant to this section. The board shall consist of nine members,  
3 as follows:

4 (1) The Mayor of the City of San Diego, or a member of the  
5 city council designated by the mayor to be his or her alternate.

6 (2) A member of the public appointed by the Mayor of the  
7 City of San Diego. The initial term for this member shall be two  
8 years.

9 (3) (A) The initial appointment for the north coastal cities  
10 shall be the mayor of the most populous city, as of the most  
11 recent decennial census, among the north coastal area cities. If  
12 that mayor declines to serve, he or she shall appoint a member of  
13 the public who is a resident of one of *the* north coastal area cities.  
14 The initial term for this member shall be four years.

15 (B) For subsequent appointments, the mayors of the north  
16 coastal cities shall select the member. The appointment shall  
17 alternate between a mayor and a member of the public from these  
18 cities to follow the initial appointment made under this  
19 paragraph.

20 (4) (A) If the member serving under paragraph (3) is a  
21 mayor, the initial appointment from the north inland cities shall  
22 be a member of the public selected by the mayors of the north  
23 inland area cities from one of those cities.

24 (B) If the person serving under paragraph (3) is not a mayor,  
25 then the mayors of the north inland area cities shall select a  
26 mayor of a north inland area city. The initial term of this member  
27 is two years.

28 (C) For subsequent appointments, the mayors of the north  
29 inland area cities shall select the member. The appointment shall  
30 alternate between a mayor and a member of the public from these  
31 cities to follow the initial appointment made under this  
32 paragraph.

33 (5) (A) The mayor of the most populous city, as of the most  
34 recent decennial census, among the south area cities. If that  
35 mayor declines to serve, he or she shall appoint a member of the  
36 public who is a resident of one of south area cities. The initial  
37 term for this member shall be six years.

38 (B) For subsequent appointments, the mayors of the south area  
39 cities shall select the member. The appointment shall alternate  
40 between a mayor and a member of the public from these cities to



1 follow the initial appointment made under this paragraph. The  
2 initial term of this member is four years.

3 (6) (A) If the member serving under paragraph (5) is a  
4 mayor, then a member of the public shall be selected by the  
5 mayors of the east area cities from one of those cities.

6 (B) If the person serving under paragraph (5) is not a mayor,  
7 then the mayors of the east area cities shall select a mayor of an  
8 east area city. The initial term of this member is four years.

9 (C) For subsequent appointments, the mayors of the east area  
10 cities shall select the member. The appointment shall alternate  
11 between a mayor and a member of the public from these cities to  
12 follow the initial appointment made under this paragraph.

13 (7) The three remaining positions shall be the members of the  
14 executive committee appointed pursuant to Section—170026  
15 170028.

16 (b) The board shall appoint the chair, who shall serve as chair  
17 for a two-year portion of his or her term as a board member. A  
18 member may be appointed to consecutive terms as chair.

19 (c) (1) Members of the first board appointed pursuant to  
20 subdivision (a), other than members identified in paragraph (7) of  
21 subdivision (a), shall be appointed on or before October 31,  
22 2002, and shall be seated as the board on December 2, 2002.

23 (2) Any appointment not filled by the respective appointing  
24 authority on or before December 1, 2002, shall be appointed by  
25 the Governor, consistent with the eligibility requirements of this  
26 section for that membership position.

27 (d) (1) After the initial term, all terms shall be four years,  
28 except as otherwise required under subdivision (b) of Section  
29 170018.

30 (2) The expiration date of the term of office shall be the first  
31 Monday in December in the year in which the term is to expire.

32 *SEC. 36.7. Section 170018 of the Public Utilities Code is*  
33 *amended to read:*

34 170018. (a) The appointing authority for a member whose  
35 term has expired shall appoint that member's successor for a full  
36 term of four years.

37 (b) The membership of any member serving on the board as a  
38 result of holding another public office shall terminate when the  
39 member ceases holding the other public office.

1 (c) Any vacancy in the membership of the board shall be filled  
2 for the ~~expired~~ *remainder of that unexpired* term by a person  
3 selected by the respective appointing authority for that position.

4 SEC. 36.8. *Section 170041 is added to the Public Utilities*  
5 *Code, to read:*

6 170041. *Meetings of the board are subject to the Ralph M.*  
7 *Brown Act, Chapter 9 (commencing with Section 54950) of Part*  
8 *1 of Division 2 of Title 5 of the Government Code.*

9 SEC. 36.9. *Section 170042 of the Public Utilities Code is*  
10 *amended to read:*

11 170042. (a) The board may act only by ordinance or  
12 resolution for the regulation of the authority and undertaking all  
13 acts necessary and convenient for the exercise of the authority's  
14 powers.

15 (b) The authority may adopt and enforce rules and regulations  
16 for the administration, maintenance, operation, and use of its  
17 facilities and services.

18 (c) (1) A person who violates a rule, regulation, or ordinance  
19 adopted by the board is guilty of a misdemeanor punishable  
20 pursuant to Section 19 of the Penal Code, or an infraction under  
21 the circumstances set forth in paragraph (1) or (2) of subdivision  
22 (d) of Section ~~14~~ of the Penal Code.

23 (2) The authority may employ necessary personnel to enforce  
24 this section.

25 (d) A majority of the membership of the board shall constitute  
26 a quorum for the transaction of business.

27 SEC. 36.10. *Section 170062 of the Public Utilities Code is*  
28 *amended to read:*

29 170062. (a) The authority shall develop a transition plan to  
30 facilitate the transfer of the San Diego International Airport to  
31 the authority pursuant to this section. To facilitate the preparation  
32 of a transition plan, the authority and the port shall jointly  
33 commission a certified audit to determine the financial condition  
34 of the San Diego International Airport, including, but not limited  
35 to, the obligations of the airport and the reasonableness of the  
36 overhead charges being paid by the airport to the port. Upon  
37 completion of the audit, the port and the authority shall balance  
38 all accounts, including, but not limit to, loans and other  
39 obligations between the two agencies.

1 (b) The port shall cooperate in every way to facilitate the  
2 transfer of the San Diego International Airport to the authority.

3 (c) In the preparation of the transition plan, priority shall be  
4 given to ensuring continuity in the programs, services, and  
5 activities of the San Diego International Airport.

6 (d) (1) The transfer of the San Diego International Airport to  
7 the authority shall be completed on or after December 16, 2002.

8 (2) The terms of the transfer of San Diego International  
9 Airport to the authority shall include, but are not limited to, the  
10 following:

11 (A) The authority shall request and receive a finding by the  
12 Federal Aviation Administration that it is an eligible airport  
13 sponsor.

14 (B) The authority shall comply with federal regulations,  
15 including, but not limited to, Part 139 of Title 14 of the Code of  
16 Federal Regulations (certification and operation) and Part 107 of  
17 Title 14 of the Code of Federal Regulations (security).

18 (C) Consistent with the obligations set forth in this section, the  
19 authority may, ~~it is~~ *in its* sole discretion, from time to time, enter  
20 into agreements with the port for services including, but not  
21 limited to, operations, maintenance, and purchasing, as the  
22 authority may find necessary or beneficial to facilitate the orderly  
23 transfer and continued operation of San Diego International  
24 Airport. During a transition period from January 1, 2003, to June  
25 30, 2005, inclusive, the authority shall purchase from the port,  
26 pursuant to a written agreement approved by the authority and  
27 the port, substantially all of the services specified in  
28 subparagraphs (D), (E), and (F) during the periods stated in  
29 subparagraphs (D), (E), and (F), subject to subdivisions (h) to (j),  
30 inclusive, and other requirements imposed by law or regulation.

31 (D) For the period from January 1, 2003, to June 30, 2003,  
32 inclusive, the authority shall acquire substantially all of its  
33 requirements for the following services from the port:

34 (i) General services and maintenance.

35 (ii) Training and organizational development.

36 (iii) Public art.

37 (iv) Environmental services.

38 (v) Human resources.

39 (vi) Audit and risk management.

40 (vii) Marketing.

1 (viii) Financial services.

2 (ix) Information technology.

3 (x) Purchasing.

4 (xi) Treasury.

5 (xii) Equal Opportunity Management.

6 (E) For the period from July 1, 2003, to June 30, 2004,  
7 inclusive, the authority shall acquire substantially all of its  
8 requirements for the following services from the port:

9 (i) General services and maintenance.

10 (ii) Training and organization development.

11 (iii) Public art.

12 (iv) Environmental services.

13 (v) Human resources.

14 (vi) Audit and risk management.

15 (vii) Marketing.

16 (F) For the period from July 1, 2004, to June 30, 2005,  
17 inclusive, ~~under~~ the authority shall acquire substantially all of its  
18 requirements for the following services from the port:

19 (i) General services and maintenance.

20 (ii) Training and organizational development.

21 (iii) Public art.

22 (G) Except as expressly stated in subparagraphs (D), (E), and  
23 (F), the authority shall have no obligation to purchase or procure  
24 any services, facilities, or equipment from or through the port. At  
25 no time shall the authority be obligated to purchase auditing,  
26 public affairs, and governmental relations, strategic planning,  
27 legal, or board support services from the port. However, the  
28 authority may elect to obtain these services and support in  
29 agreement with the port.

30 (H) Performance of all these services shall be subject to the  
31 direction and control of the authority, and shall be provided in  
32 accordance with specifications, policies, and procedures as  
33 communicated by the authority to the port from time to time. In  
34 all cases, the port shall provide services of sufficient quality,  
35 quantity, reliability, and timeliness to ensure that the authority  
36 can continue the operation, maintenance, planning and  
37 improvement of and for San Diego International Airport  
38 consistent with the standards and practices under which the  
39 airport is operated on the effective date of the act that added this  
40 subparagraph or higher standards as the authority may adopt, or

as may be required in the authority's judgment to meet the requirements of federal or state law, or the needs of the users of the airport for the safe, secure, and efficient operation of the airport. The authority also, from time to time, may establish performance standards for and may conduct financial or performance audits, or both, of all services provided by the port and all charges or claims for payment for the services provided.

(I) Services provided by the Harbor Police shall in no event be of less quality than the standard established for airport police services by the three other largest airports, based on annual passengers, in this state. The port shall cooperate fully, at its own cost, in any financial or performance audit, or both, conducted by, or on behalf of, the authority or by any government agency having jurisdiction.

(J) For those services that the authority is required, under subparagraphs (D), (E), and (F) to purchase from the port, the port shall submit to the authority a proposed budget for those services for the approval of the authority not less than 120 days preceding the commencement of the applicable six-month or one-year period for the provision of those services. For all other services that the authority in its discretion may request, and the port agrees to provide services, the port shall submit to the authority a proposed budget for those optional services within 30 days of the authority's request for the services.

(K) The authority shall reimburse the port for the actual and reasonable direct costs, including, but not limited to, an appropriate allocation of general and administrative expenses associated with the provision of that service, incurred by the port to deliver services actually provided to the authority in accordance with the standards and requirements described in this section. The port shall request payment for services on a monthly basis. Those requests shall provide details regarding each service or element thereof for which payment is requested as the authority reasonably may request. The authority shall have the right to review and approve any request for payment for those services. Payment shall be due and payable 30 days after the request provided all necessary supporting documentation is received by the authority.

~~(L) Performance of all services shall be subject to the direction and control of the authority, and shall be provided in accordance~~

1 with specifications, policies, and procedures as communicated by  
2 the authority to the port from time to time. In all cases, the port  
3 shall provide services of sufficient quality, quantity, reliability,  
4 and timeliness to ensure that the authority can continue the  
5 operation, maintenance, planning and improvement of and for  
6 San Diego International Airport, consistent with the standards  
7 and practices under which the airport is operated on the effective  
8 date of the act that added this subparagraph, or higher standards  
9 as the authority may adopt, or as may be required in the  
10 authority's judgment to meet the requirements of federal or state  
11 law, or the needs of the users of the airport for the safe, secure,  
12 and efficient operation of the airport. The authority also, from  
13 time to time, may establish performance standards for, and may  
14 conduct financial performance audits, or both, of, all services  
15 provided by the port and all charges or claims for payment for the  
16 services.

17 (M) Upon the completion of the transfer, the authority shall  
18 hire existing port staff assigned to the aviation division of the  
19 port as employees of the authority. The authority may hire  
20 additional staff, as needed, to fulfill its responsibilities. The  
21 authority shall make every responsible effort to fill necessary  
22 positions from port staff which may be affected by the transfer of  
23 the airport.

24 (e) The transfer may not in any way impair any contracts with  
25 vendors, tenants, employees, or other parties.

26 (f) The San Diego Harbor Police Department shall remain  
27 under the jurisdiction of the San Diego Unified Port District, and  
28 employees shall incur no loss of employment or reduction in  
29 wages, health and welfare benefits, seniority, retirement benefits  
30 or contributions made to retirement plans, or other terms and  
31 conditions of employment as a result of enactment of this  
32 division. The San Diego Harbor Police Department shall have the  
33 exclusive contract for law enforcement services at San Diego  
34 International Airport during that time as the airport continues to  
35 operate at the Lindbergh Field, and peace-officer officers of the  
36 Harbor Police shall remain employees of the port.

37 *SEC. 36.11. Section 170084 of the Public Utilities Code is*  
38 *amended to read:*

39 170084. The authority shall assume and be bound by the  
40 terms and conditions of employment set forth in any collective

1 bargaining agreement or employment contract between the port  
2 and any labor organization or employee affected by the creation  
3 of the authority, as well as the duties, obligations, and liabilities  
4 arising from, or relating to, labor obligations imposed by state or  
5 federal law upon the port. Aviation division employees of the  
6 port affected by this division shall become employees of the  
7 authority and shall suffer no loss of employment or reduction in  
8 wages, health and welfare benefits, seniority, retirement benefits  
9 or contributions made to retirement plans, or any other term ~~of~~ *or*  
10 condition of employment as a result of the enactment of this  
11 division. No employee of the port shall suffer loss of  
12 employment or reduction in wages or benefits as a result of the  
13 enactment of this division.

14 SEC. 37. Section 21403 of the Water Code is amended to  
15 read:

16 21403. A district may destroy a record pursuant to Chapter  
17 7 (commencing with Section 60200) of Division 1 of Title 6 of  
18 the Government Code.

19 SEC. 38. Section 30525.5 is added to the Water Code, to  
20 read:

21 30525.5. A district may destroy a record pursuant to Chapter  
22 7 (commencing with Section 60200) of Division 1 of Title 6 of  
23 the Government Code.

24 SEC. 39. Section 35307 is added to the Water Code, to read:

25 35307. A district may destroy a record pursuant to Chapter 7  
26 (commencing with Section 60200) of Division 1 of Title 6 of the  
27 Government Code.

28 SEC. 40. Section 40657.5 is added to the Water Code, to  
29 read:

30 40657.5. A district may destroy a record pursuant to Chapter  
31 7 (commencing with Section 60200) of Division 1 of Title 6 of  
32 the Government Code.

33 SEC. 41. Section 50942 is added to the Water Code, to read:

34 50942. A district may destroy a record pursuant to Chapter 7  
35 (commencing with Section 60200) of Division 1 of Title 6 of the  
36 Government Code.

37 SEC. 42. Section 55333.5 is added to the Water Code, to  
38 read:

1     55333.5. A district may destroy a record pursuant to Chapter  
2     7 (commencing with Section 60200) of Division 1 of Title 6 of  
3     the Government Code.

4     SEC. 43. Section 71282 is added to the Water Code, to read:

5     71282. A district may destroy a record pursuant to Chapter 7  
6     (commencing with Section 60200) of Division 1 of Title 6 of the  
7     Government Code.

8     SEC. 44. Section 74228.5 is added to the Water Code, to  
9     read:

10    74228.5. A district may destroy a record pursuant to Chapter  
11    7 (commencing with Section 60200) of Division 1 of Title 6 of  
12    the Government Code.